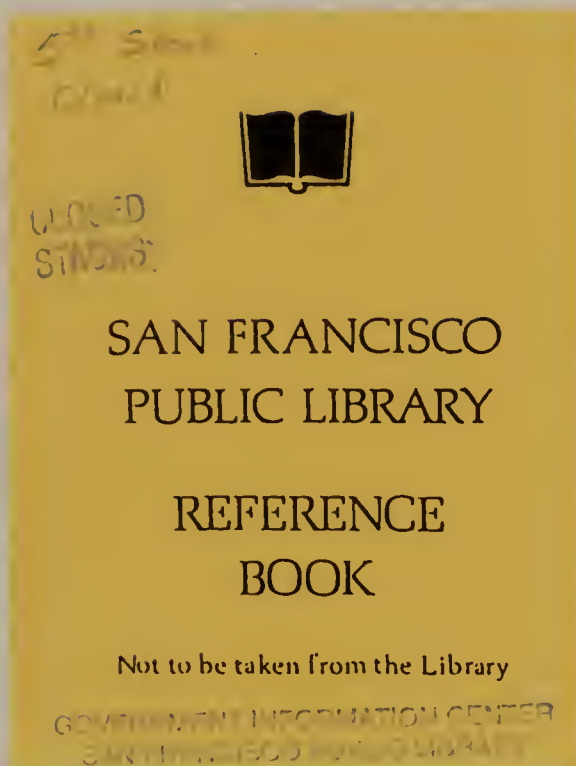


DOCUMENTS DEPARTMENT



MAY 8 1996



APRIL 6, 1988

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, April 6, 1988 at 1700 hours in Closed Session.

DOCUMENTS DEPT.

Commissioner Giraudo presiding.

JUL 11 1988

SAN FRANCISCO
PUBLIC LIBRARY

1. Attorney-Client Conference

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

APRIL 6, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, April 6, 1988 at 1730 hours in a Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

APPROVAL OF MINUTES OF MEETING OF DECEMBER 17, 1987

Approval of Minutes of Meeting of December 17, 1987, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 656-88

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the proposed settlement of the litigation of the San Francisco Police Officers' Association vs. City and County of San Francisco, et al in Superior Court No. 842-342 for awarding night time differential to Police Department members who elect in lieu time off for overtime worked is hereby approved.

Incident Date: July 1, 1984 and continuing

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 657-88

SAN FRANCISCO POLICE OFFICERS' ASSOCIATION vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the proposed settlement of the litigation of the San Francisco Police Officers' Association vs. City and County of San Francisco, et al in Superior Court No. 789-802 for salary of Q50 Sergeant for Q2 Police Officers assigned temporarily to Q50 Sergeant rank is hereby approved.

Incident Date: February 1, 1978 to February 1, 1980

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 658-88

RAYMOND RANDLE, JR. vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Raymond Randle, Jr. entitled "Raymond Randle, Jr. vs. City and County of San Francisco, et al" in the sum of \$25,000.00 in Superior Court No. 801-000 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: 5/2/80 - 7/20/80

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 659-88

MELVIN CLATTY vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made for payment of attorney's fees and costs in the litigation of Melvin Clatty vs. City and County of San Francisco in the total sum of \$22,157.29 in U.S. District Court No. C86-4750 EFL is hereby approved.

Date of Incident: December 31, 1983

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 660-88

MARC MISKIND vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Marc Mishkind entitled "Marc Mishkind vs. City and County of San Francisco, et al" in Superior Court No. 879-962 in the sum of \$4,000 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 28, 1986

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 661-88

JOE REVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joe Revis in the sum of \$1,329.55 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 15, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 662-88

JOHN W. ROAN, JR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John W. Roan, Jr. in the sum of \$1,300.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 19, 1987

AYES: Commissioners Girauđo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 663-88

MYRENIA HARRIS, et al vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made in the litigation of Myrenia Harris in Superior Court No. 824-496 entitled "Myrenia Harris et al vs. City and County of San Francisco" in the sum of \$1,250.00 for damages sustained is hereby approved.

Date of Incident: July 3, 1983

AYES: Commissioners Giraudó, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 664-88

RAY JOHNSON vs. CITY & COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Ray Johnson entitled "Ray Johnson vs. City and County of San Francisco, et al" in Superior Court No. 838-329 in the sum of \$1,250.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 12, 1984

AYES: Commissioners Giraudó, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 665-88

CALIFORNIA STATE AUTO. ASSOCIATION (JOSEPH SOZZI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of California State Automobile Association (Joseph Sozzi) in the sum of \$1,169.50 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 12, 1987

AYES: Commissioners Giraudó, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 666-88

CITY TOW (MAGDALENA CRUZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Magdalena Cruz) in the sum of \$580.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 26, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 667-88

BRYAN D. JUNG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bryan D. Jung in the sum of \$530.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 24, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 668-88

CONSUELO RAMIREZ vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made in Small Claims Court No. 472-912 in the sum of \$517.22 (costs included) in the case of Consuello Ramirez vs. City and County of San Francisco as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 13, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 669-88

GASPAR GONZALEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gaspar Gonzales in the sum of \$500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 14, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 670-88

CITY TOW (RAYMOND BARON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Raymond Baron) in the sum of \$470.00 as the result of nonpayment of towing charges, be, and the same is hereby approved.

Date of Incident: July 17, 1987, Waiver date
August 26, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 671-88

CITY TOW (PAUL ALEXANDER, JR.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Paul Alexander, Jr.) in the sum of \$420.00 as the result of nonpayment of towing charges, be, and the same is hereby approved.

Date of Incident: July 22, 1987, Waiver date
August 26, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 672-88

CITY TOW (JOHN CHARLESTON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (John Charleston) in the sum of \$370.00 as the result of nonpayment of towing charges, be, and the same is hereby approved.

Date of Incident: July 26, 1987, Waiver date
October 25, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 673-88

EMMA L. CALDWELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Emma L. Caldwell in the sum of \$290.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 25, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 674-88

NADINE Y. MELO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nadine Y. Melo in the sum of \$265.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 19, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 675-88

SUSAN A. QUILLIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan A. Quillin in the sum of \$245.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 4, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 676-88

CITY TOW (JAMES MANSFIELD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (James Mansfield) in the sum of \$240.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 20, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 677-88

LORRAINE DUNNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorraine Dunne in the sum of \$225.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 678-88

CITY TOW (FARHAD HEMMAT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Farhad Hemmat) in the sum of \$210.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 28, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 679-88

CITY TOW (KEN FRENAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Ken Frenan) in the sum of \$210.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Decemhber 15, 1987

AYES: Commissioners Giraudo, Nelder, Sanche
ABSENT: Commissioner Owens

RESOLUTION NO. 680-88

CITY TOW (PAUL L. PERRY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Paul L. Perry) in the sum of \$200.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 15, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 681-88

MARC PARELLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marc Parella in the sum of \$200.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 12, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 682-88

MARK MILNE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark Milne in the sum of \$190.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 683-88

CITY TOW (RICHARD HUGHES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Richard Hughes) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 684-88

CITY TOW (GARY ROBINSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Gary Robinson) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 22, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 685-88

CITY TOW (MIMI FAN YAN LIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Mimi Fang Yan Lin) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 686-88

CITY TOW (PHILIPPE CANABO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Philippe Canabo) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 11, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 687-88

CITY TOW (PAUL GOODWIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Paul Goodwin) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 8, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 688-88

CITY TOW (CAROLYN GAUTIO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Carolyn Gautio) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 18, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 689-88

CITY TOW (MICHELLE CARDONA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Michelle Cardona) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 24, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 690-88

CITY TOW (PETER FOX)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Peter Fox) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 9, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 691-88

CITY TOW (ANTONIO BERONILLA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Antonio Beronilla) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 22, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 692-88

RICHARD FADDIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Faddis in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 4, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 693-88

CHRISANTHY KARIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chrisanthy Karis in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 28, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 694-88

DANNY N. CHURCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danny N. Church in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 8, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 695-88

GLORIA WHITE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gloria White in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 696-88

BOBBY WASHINGTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bobby Washington in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 697-88

DENNIS OATES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dennis Oates in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 9, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 698-88

BENJAMIN ICHINOSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin Ichinose in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 5, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 699-88

MARVIN JOSEPH WRIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marvin Joseph Wright in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 7, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 700-88

CITY TOW (KAI MIN CHAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Kai Min Chan) in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 22, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 701-88

CITY TOW (KAREN OGRADY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Karen Ogrady) in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 702-88

THE CITY TOW (McGHEE, RICHARD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (McGhee, Richard) in the sum of \$90.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 703-88

CITY TOW (MANDRAY, VERONIQUE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of City Tow (Mandray, Veronique) in the sum of \$90.00 as a result of a non-payment refund, be, and the same is hereby approved.

Date of Incident: October 25, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 704-88

JUNE RAE DOYLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of June Rae Doyle in the sum of \$87.75 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 11, 1986

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 705-88

ABC TOWING (LAROCCA, JACK C.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Tow (LaRocca, Jack C.) in the sum of \$87.75 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 24, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 706-88

NICHOLAS R. EARLY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nicholas R. Early in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 10, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 707-88

THOMAS W. FLYNN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas W. Flynn in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 708-88

MARK KIROVSKY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark Kirovsky in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 709-88

WILLIAM M. QUICK, MD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William M. Quick, MD in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 8, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 710-88

PAMELA TANK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pamela Tank in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 711-88

WILLIAM C. WEBSTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William C. Webster in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 712-88

ERIC STRATTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eric Stratton in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 8, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 713-88

JEFF BARLOW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeff Barlow in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 13, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 714-88

GEORGE KERNAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George Kernan in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 5, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 715-88

ANGIE B. SAUCIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Angie B. Saucier in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 28, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 716-88

ROD WESTERN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rod Western in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 11, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 717-88

ANDREW McCOY

RESOLVED, that the recommendation of the city Attorney for settlement of the claim of Andrew McCoy in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 26, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 718-88

ARTHUR LYNN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Arthur Lynn in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 28, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 719-88

MARCUS P. BONNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marcus P. Bonner in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 21, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 720-88

ALFRED S. McLEAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alfred S. McLean in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 2, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 721-88

STANLEY KWAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Stanley Kwan in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 28, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 722-88

GARRY ESGET

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Garry Esget in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 16, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 723-88

HERBERT W. FELDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herbert W. Feldman in the sum of \$80.00 as a result of damages sustained be, and the same is hereby approved.

Date of Incident: December 10, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 724-88

EARNEST LEE JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Earnest Lee Johnson in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 725-88

ZIA S. DAIRKEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Zia S. Dairkee in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 10, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 726-88

ENRIQUE DE ANDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Enrique de Anda in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 1, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 727-88

JIMMIE THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jimmie Thomas in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 2, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 723-88

HERBERT W. FELDMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herbert W. Feldman in the sum of \$80.00 as a result of damages sustained be, and the same is hereby approved.

Date of Incident: December 10, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 724-88

EARNEST LEE JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Earnest Lee Johnson in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 2, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 725-88

ZIA S. DAIRKEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Zia S. Dairkee in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 10, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 726-88

ENRIQUE DE ANDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Enrique de Anda in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 1, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 727-88

JIMMIE THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jimmie Thomas in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 2, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 728-88

ELIZABETH ROSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth Ross in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 11, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 729-88

RONALD WILLIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Willis in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 4, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 730-88

THE CITY TOW (JEONG, SANDRA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jeong, Sandra) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 731-88

THE CITY TOW (HOLMES, CHRISTINA E.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Holmes, Christina E.) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 18, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 732-88

BRAD STEWART

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brad Stewart in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 10, 1987

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 733-88

THE CITY TOW (BLAGG, BRIAN SCOTT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Blagg, Brian Scott) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 11, 1988

AYES: Commissioners Girauđo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 734-88

THE CITY TOW (WINSTON, JOE JR.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Winston, Joe Jr.) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Girauđo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 735-88

THE CITY TOW (TOTAH, RAY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Totah, Ray) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 10, 1987

AYES: Commissioners Girauđo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 736-88

CITY TOW (BORNSTEIN, RICHARD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of City Tow (Bornstein, Richard) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 6, 1987

AYES: Commissioners Girauđo, Nelder, Sanchez
ABSENT: Commissioner Owens

POLICE COMMISSION REPORT

Commissioner Girauđo said the Police Commission met this date in Executive Session at 5:00 p.m. on Personnel matters and no vote was taken.

(a) PUBLIC COMMENTS

Mr. Clifton Jeffers, Attorney, representing Police Officer Clinton Cooper addressed the Commission on a matter that is scheduled for hearing before the Commission on April 20th. He said unfortunately as it turns out he has to be out of the State that week and when he realized he had a conflict he sought to discuss it with Mr. Gash and learned that Mr. Gash was currently out of town until the 13th. He said that he thought that it might be better for him to appear here tonight and ask if he could get it re-scheduled for a more convenient date.

Police Officer Jeff Barker, representing the Department said the Department has sent out all of its subpoenas and everyone is ready to go and the availability of witnesses might be a problem if this is continued but if it must be continued, please reserve doing so until Michael Gash has returned.

Commissioner Giraudo said the Commission would find it very difficult to have a hearing without Mr. Jeffers being here so why not do as suggested and wait for Mr. Gash to come back because without knowing his case load it might be problematical.

Mr. Jeffers said that would be fine with him in fact that was what he was going to suggest, that if they could vacate the 20th tonight with the understanding that they would re-set it once Mr. Gash is back, it would be fine with him.

Commissioner Giraudo then said to Mr. Jeffers that if he can be here on the 13th the Commission would have it on Calendar for re-setting at that time.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said to the Commission that he had nothing to report at this time.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of the OCC said that he had nothing to report at this time.

RESOLUTION NO. 652-88

NOTIFICATION OF REQUEST FOR APPEAL OF CHIEF'S
SUSPENSION IMPOSED ON OFFICER GEOFFREY T. WILLIAMS,
NARCOTICS ENFORCEMENT TASK FORCE

WHEREAS, request was received from Police Officer Geoffrey T. Williams for a Police Commission hearing on the suspension imposed by the Chief of Police; therefore be it

RESOLVED, that the date for the setting of a hearing on the appeal of the Chief's suspension imposed on Police Officer Geoffrey T. Williams, Narcotics Enforcement Task Force, is scheduled for Wednesday, April 13, 1988 at 5:30 p.m. in room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 653-88

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE
OFFICER JEAN J. POWERS, RICHMOND STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Jean J. Powers, Richmond Station, as follows:

SPECIFICATION NO. 1

Failure to obey the lawful order of a superior (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to obey the lawful order of a superior (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to obey the written orders of the Department (violation of Rule A-10 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, is scheduled for Wednesday, April 13, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 654-88

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE
OFFICER JOHN A. HAGGETT, CRIMINAL INFORMATION
DIVISION, WARRANT BUREAU

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer John A. Haggett, Criminal Information Division, Warrant Bureau, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to acquire and maintain a working knowledge of General Order F-4 (violation of Rule A-7 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Police Officer John A. Haggett, Criminal Information Division, Warrant Bureau, is scheduled for Wednesday, April 13, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

RESOLUTION NO. 655-88

NOTIFICATION AND FILING OF CHARGES AGAINST PATROL
SPECIAL OFFICER ALBERT L. ROBLES, CENTRAL POLICE
DISTRICT

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Patrol Special Officer Albert L. Robles, Central Police District, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Section 2.13 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department);

SPECIFICATION NO. 2

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department, (violation of Section 2.13 of the Rules and Procedures of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department);

SPECIFICATION NO. 3

Failure to answer questions asked by a superior officer truthfully and/or without evasion, (violation of Section 2.49 of the Rules and Procedure of Patrol Special Officers and Assistant Patrol Special Officers of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Patrol Special Officer Albert L. Robles, Central Police District, is scheduled for Wednesday, April 13, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Sanchez
ABSENT: Commissioner Owens

The meeting, thereafter, was adjourned at 6:10 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

15
2
/88
APRIL 13, 1988

Minutes
SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, April 13, 1988 at 1700 hours in Closed Session.

Commissioner Giraudo presiding.

1. Attorney-Client Conference.
2. Personnel Matter

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

APRIL 13, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, April 13, 1988 at 1730 hours in a Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

APPROVAL OF MINUTES OF MEETING OF JANUARY 6, 1988

Approval of Minutes of Meeting of January 6, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 747-88

CHRISTOPHER D. ROLLINS vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Christopher D. Rollins entitled "Christopher D. Rollins vs. City and County of San Francisco, et al" in the sum of \$5,000.00 in Superior Court No. 804-433 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 21, 1982

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 748-88

CITY TOW (MARK WEINSTOCK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Mark Weinstock) in the sum of \$375.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 30, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 749-88

CITY TOW (WESLEY YEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Wesley Yee) in the sum of \$340.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 1, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 750-88

CITY TOW (JIM SMITH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Jim Smith) in the sum of \$260.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 3, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 751-88

CITY TOW (ROBERT HESSLER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Robert Hessler) in the sum of \$220.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 9, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 752-88

FRANCESCO INDRIIO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francesco Indrio in the sum of \$204.61 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 19, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 753-88

CITY TOW (NATALIE CUTINO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Natalie Cutino) in the sum of \$180.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 24, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 754-88

DR. GARY JENKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Gary Jenkins in the sum of \$175.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 755-88

SANJAY K. PATEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sanjay K. Patel in the sum of \$175.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 11, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 756-88

CITY TOW (KEITH W. BURROWS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Keith W. Burrows) in the sum of \$170.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 757-88

CITY TOW (VIVAN WALTON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Vivan Walton) in the sum of \$170.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 12, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 758-88

JOHN BARNES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Barnes in the sum of \$165.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 759-88

JAMES DOUGLAS SHAW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Douglas Shaw in the sum of \$165.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 1, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 760-88

CITY TOW (LUIS A. HERNANDEZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Luis A. Hernandez) in the sum of \$160.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 761-88

TIMOTHY M. SANKARY, M.D.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Timothy M. Sankary in the sum of \$155.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 762-88

CITY TOW (CARLOS ROBERTO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Carlos Roberto) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 763-88

CITY TOW (FLOR RIVERA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Flor Rivera) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 764-88

CITY TOW (ANGELICA RALTINO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Angelica Raltino) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 765-88

CITY TOW (VALERIE RAABERG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Valerie Raaberg) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 766-88

CITY TOW (RICHARD LIONEL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Richard Lionel) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 767-88

CITY TOW (DORIS ANN COGSWELL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Doris Ann Cogswell) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 768-88

CITY TOW (VALENCIA SWEET)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Valencia Sweet) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 9, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 769-88

CITY TOW (KENNETH PHILLIPS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Kenneth Phillips) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 4, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 770-83

CITY TOW (BILLY THOMAS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Billy Thomas) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 8, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 771-88

CITY TOW (GEORGE HOFLOFF)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (George Hofloff) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 772-88

CITY TOW (MARY CAROL HIGGINS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Mary Carol Higgins) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 773-88

CITY TOW (MILTON E. HAYES, JR.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Milton E. Hayes, Jr.) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 774-88

CITY TOW (ERNEST EDWARDS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Ernest Edwards) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 775-88

CITY TOW (DENISE F. WASHINGTON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Denise F. Washington) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 776-88

CITY TOW (PABLO TRUJILLO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Pablo Trujillo) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 777-88

CITY TOW (SALLY ANN STEINER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Sally Ann Steiner) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 778-88

CITY TOW (HUGO F. SOL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Hugo F. Sol) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 779-88

CITY TOW (LAWRENCE ENTRIKEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Lawrence Entriken) in the sum of \$150.00 as the result of nonpayment of tow, be, and the same is hereby approved.

Date of Incident: July 13, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 780-88

CITY TOW (SUSAN E. MUNDON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Susan E. Mundon) in the sum of \$150.00 as the result of nonpayment of tow, be, and the same is hereby approved.

Date of Incident: August 13, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 781-88

CITY TOW (SHERRI A. DISMUKE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Sherri A. Dismuke) in the sum of \$150.00 as the result of nonpayment of tow, be, and the same is hereby approved.

Date of Incident: July 30, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 782-88

CITY TOW (ERNEST DELLIGATTI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Ernest Delligatti) in the sum of \$150.00 as the result of nonpayment of tow, be, and the same is hereby approved.

Date of Incident: July 30, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 783-88

FRANK WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Wong in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 784-88

CITY TOW (CHRISTOBAL VIGIL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Christobal Vigil) in the sum of \$150.00 as the result of nonpayment of tow, be, and the same is hereby approved.

Date of Incident: August 29, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 785-88

JAMES SHAW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Shaw in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 786-88

EDNA GOODEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edna Gooden in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20 to 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 787-88

CITY TOW (LONALD D. WISHOM)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Lonald T. Wishom) in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 788-88

CITY TOW (STEPHANIE HEATER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Stephanie Heater) in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 789-88

CITY TOW (JOSEPH SHARPE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Joseph Sharpe) in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 790-88

CITY TOW (SHOVAWN BARRERA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Shovawn Barrera) in the sum of \$115.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 791-88

CITY TOW (KEVIN F. WATERS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Kevin F. Waters) in the sum of \$102.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 792-88

JANICE W. ERICKSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Janice W. Erickson in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 21, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 793-88

JOHN FAVILLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Faville in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 794-88

EDWARD F. MITCHELL, III

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edward F. Mitchell, III in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 795-88

FRANK OSTASESKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Ostaseski in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 28, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 796-88

ZEKE RICHARDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Zeke Richardson in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 797-88

ALLAN W. ISAACSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allan W. Isaacson in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 798-88

CITY TOW (ROBERT BELVIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Robert Belvin) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 799-88

CITY TOW (ISABELL WARD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Isabell Ward) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 800-88

CITY TOW (HOWARD FLEISMAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Howard Fleisman) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 801-88

CITY TOW (ROBERT LUGO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Robert Lugo) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 802-88

CITY TOW (MIRIAM E. SERRANO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Miriam E. Serrano) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 803-88

CITY TOW (POLLY STEIMETZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Polly Steimetz) in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 804-88

MARY SUE RAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Sue Ray in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 805-88

ERIC HERRMANN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eric Herrmann in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 806-88

CITY TOW (MARIA BAUTISTA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Maria Bautista) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 807-88

CITY TOW (LINDA D. McCOY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Linda D. McCoy) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 808-88

DR. AHMAD R. BAHRMAND

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Ahmad R. Bahrmand in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 809-88

WILLIAM HUNT CONRAD, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Hunt Conrad, Jr. in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 19, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 810-88

TERENCE G. WHITE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terence G. White in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 811-88

THOMAS J. BARRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas J. Barry in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 812-88

SUZETTE COTTEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Suzette Cotten in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 813-88

MINNIE MEHTA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Minnie Mehta in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 24, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 814-88

DENISE SILVER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Denise Silver in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 815-88

DONALD S. HUSKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald S. Huske in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 19, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 816-88

RICHARD ROSSLAND

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Rossland in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 19, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 817-88

BENJAMIN WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin Wong in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 19, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 818-88

ALICE P. ALLICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alice P. Allick in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 19, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sánchez

RESOLUTION NO. 819-88

LULHDEY BELACHEW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lulhdey Belachew in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 820-88

LEO J. BUTLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leo J. Butler in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 9, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 821-88

MEKHALDI DJAMEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mekhaldi Djamel in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 13, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 822-88

DAVID EBERHARDT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Eberhardt in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 823-88

HELEN LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Helen Lee in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 824-88

PAK SURIYAPA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pak Suriyapa in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 825-88

MARGARET SKUPA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret Skupa in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 826-88

DAVID LIN DUNCAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Lin Duncan in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 28, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT

Commisioner Giraudo said the Police Commission met in Closed Session on a Personnel matter this afternoon and no vote was taken.

(a) PUBLIC COMMENTS

No public comments.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he had just one item and that is just to alert the Commission that this week is Earthquake Preparedness Week and the Police Department is involved in a number of different exercises particularly today and tomorrow. He said the Department held the Government Business and Red Cross Disaster Conference down at the Moscone Convention Center all day. He said tomorrow the Department will be activating the Emergency Operation Center up at the 1000 Block of Turk Street with the Department going through simulated practices of any kind of earthquake emergencies that might develop in San Francisco and this kind of exercise will go on throughout the week.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of OCC, said they have nothing to report to the Commission tonight.

PUBLIC HEARING ON REVISION OF DEPARTMENT GENERAL ORDER F-2, "RESPONSE AND PURSUIT DRIVING PROCEDURE

Deputy Chief Casey said this is a relatively minor change in the Department's regular General Order and it was done to bring the Department in to conformity with the Vehicle Code which grants the Department immunity in the case of an accident by one of the Department units. He said, for example, in a hot chase, the suspect vehicle has an accident and the Department's Policy contains this certain language as described in the California Vehicle Code the City is granted immunity for the accident in the third party car. He said so what the Department has now done is to make a few language changes which were so minor that when sent to the San Francisco Police Officer's Association they did not feel it necessary to meet and confer.

Commissioner Nelder said he would move for approval, Commissioner Owens seconded and it was unanimously approved for adoption.

RESOLUTION NO. 738-88

REVISION OF DEPARTMENT GENERAL ORDER F-2, "RESPONSE AND PURSUIT DRIVING PROCEDURES"

RESOLVED, that the Police Commission hereby approves revised General Order F-2, "Response and Pursuit Driving Procedures".

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

SETTING OF DATE FOR HEARING ON APPEAL OF CHIEF'S SUSPENSION IMPOSED ON OFFICER GEOFFREY T. WILLIAMS, ARCOTICS ENFORCEMENT TASK FORCE

Mr. Michael Gash said that before the Commission does anything about setting the date for hearing this matter he would suggest that this Officer has no standing to bring the matter before the Commission. He said the reason being is that this

suspension is an imposition of a one day suspension that Officer Williams received on October 13, 1987. He said at that time the Officer did not appeal the suspension that was held in abeyance for one year. He said now because of recent subsequent acts by the Officer, the Chief, at a disciplinary hearing, chose to impose that one day suspension was held in abeyance which the Officer had already received on October 13, 1987. He said he would request that the matter be moved off calendar and that the Commission allow the Chief to impose the one day suspension.

Commissioner Nelder said he would make the motion that it be moved off Calendar and that the one day suspension be imposed. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 739-88

SETTING OF DATE FOR HEARING ON APPEAL OF CHIEF'S
SUSPENSION IMPOSED ON OFFICER GEOFFREY T. WILLIAMS,
NARCOTICS ENFORCEMENT TASK FORCE

WHEREAS, the date for the setting of hearing on the appeal of Chief's suspension imposed on Officer Geoffrey T. Williams, Narcotics Enforcement Task Force, was called it having been scheduled for this date; and

WHEREAS, Mr. Michael Gash, Attorney at Law representing the Police Department, advised the Commission that Officer Geoffrey T. Williams had no standing to bring the matter before the Commission and that Officer Williams' suspension is imposition of a one-day suspension that Officer Williams received on October 13, 1987 in a Chief's disciplinary hearing which was held in abeyance for one year, and Officer Williams did not appeal the Chief's action at that particular time, and

WHEREAS, according to Mr. Gash, the Chief has now imposed that suspension that was held in abeyance for one year because of recent acts by Officer Williams brought out in a recent Chief's disciplinary hearing; therefore be it

RESOLVED, that it is the findings of the Commission that Officer Williams' one-day suspension is a result of the Chief's disciplinary hearing of October 13, 1987, and was conditionally held in abeyance, and be it further

RESOLVED, that it is the findings of the Commission that Officer Williams did not file an appeal of the Chief's action in a timely manner as provided for in Section 8.343; therefore, his request to appeal this one-day suspension imposed by Chief of Police Frank M. Jordan be, and the same is hereby denied.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 740-88

SETTING OF DATE FOR HEARING OF POLICE OFFICER JEAN
J. POWERS, RICHMOND STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Clifton Jeffers, Attorney at Law, representing Officer Jean J. Powers, that the date for the hearing of disciplinary charges filed against Officer Jean J. Powers be set for June 22, 1988; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, is set for Wednesday, June 22, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Girau'do, Nelder, Owens
ABSENT: Commissioner Sanchez

RESETTING OF DATE FOR HEARING ON DISCIPLINARY
CHARGES FILED AGAINST POLICE OFFICER CLINTON COOPER,
COMMUNICATIONS DIVISION

Mr. Michael Gash, attorney for the Department said it was his understanding that this came up last week. He said there is some history in this case which he felt the Commission should be aware of before it is decided on what date to set. He said he assumed that it may be continued but the Department really does not want to continue it primarily because of the following: He said back on September 9, 1987, the hearing on this matter was first scheduled to go forward on November 12, 1987. He said the day before that day, Mr. Jeffers was retained by Officer Cooper and at that time Mr. Jeffers requested that a continuance be granted so that he would be able to read the facts of the case and prepare himself to defend the officer. He continued by saying that so at that time the matter was continued to December 17th, 1987. He said at the Commission hearing of December 17th, 1987, the matter was continued to approximately four months down the road to April 21st which is next week. He said because this case has been on the calendar so long the Department would urge that it be allowed to go forward on April 21st, however, the alternative is, if the Commission does not wish to, or, if it does wish to grant Mr. Jeffers his continuance from April 21st, the Department would suggest May 18th as a hearing date because as he is aware that Mr. Jeffers will be present on that evening on another matter.

Mr. Jeffers, Attorney for Officer Cooper said that he felt it was correct at this time to point out that all of the continuances in this matter has not been the result of requests from Officer Cooper or his Counsel in that the December request came on behalf of the Department and he just wanted the record to show that it wasn't all one way. He then said the proposed date of setting, May 18th, is not acceptable to him. He said he has one hearing that night before the Commission and that hearing, he said, is going to take an extensive amount of time. He said there will not be an opportunity to hear a second matter that evening in his opinion. He said if the Commission and the Department want to have the Cooper matter heard at the earliest date he would therefore think it would be wise to establish a date now that everyone could live with. But, he said, if the Commission goes ahead and places it on calendar for May 18th and it is not heard then, it will, by necessity, have to be set back just that much further.

Commissioner Giraudo noting that this is the Hollins and Jones matter inquired of the Counsel as to why that would take so long since the Chief would be the only witness.

Mr. Jeffers responded by saying that there is a lot to cover and that he would estimate at least two and a half hours to cover the areas the Chief needed to be questioned on. He said after all the hearing itself without the Chief participating involved three nights.

Mr. Gash then suggested that the next available date would be July 27th for the Cooper Hearing. Mr. Jeffers said that it was an acceptable date for him.

Commissioner Nelder said he would make a motion to set the date for the Cooper Hearing to July 27th, 1988. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 743-88

RESETTING OF DATE FOR HEARING OF POLICE OFFICER CLINTON COOPER, COMMUNICATIONS DIVISION

WHEREAS, the date for the resetting of the hearing of the disciplinary charges filed against Police Officer Clinton Cooper, Communications Division, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Clifton Jeffers, Attorney at Law representing Officer Clinton Cooper, that the date for the hearing of the disciplinary charges filed against Police Officer Clinton Cooper be reset for July 27, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Clinton Cooper, Communications Division, is reset for Wednesday, July 27, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 741-88

SETTING OF DATE FOR HEARING OF POLICE OFFICER JOHN A. HAGGETT, CRIMINAL INFORMATION DIVISION, WARRANT BUREAU

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer John A. Haggett, Criminal Information Division, Warrant Bureau, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. J. William Conroy, Attorney at Law representing Officer John A. Haggett, that the date for the hearing of disciplinary charges filed against Officer John A. Haggett be set for July 6, 1988; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer John A. Haggett, Criminal Information Division, Warrant Bureau, is set for Wednesday, July 6, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 742-88

SETTING OF DATE FOR HEARING OF PATROL SPECIAL OFFICER ALBERT L. ROBLES, CENTRAL POLICE DISTRICT

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Patrol Special Officer Albert L. Robles, Central Police District, was called it having been scheduled for this date; and

WHEREAS, it was requested by Patrol Special Officer Albert L. Robles that the date for the setting of the hearing of disciplinary charges filed against him be continued to April 20, 1988; therefore be it

RESOLVED, that the date for the setting of the hearing of disciplinary charges filed against Patrol Special Officer Albert L. Robles, Central Police District, is set for Wednesday, April 20, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 744-88

HEARING ON DISCIPLINARY CHARGES AND NOTICE TO STRIKE CERTAIN ALLEGATIONS IN DISCIPLINARY CHARGES FILED AGAINST OFFICER TONY B. HICKS, POTRERO STATION

WHEREAS, the date for the hearing and notice to strike certain allegations in disciplinary charges filed against Police Officer Tony B. Hicks, Potrero Station, was called it having been set for this date; and

WHEREAS, the requested City Attorney's opinion regarding this matter has not been received, it was decided by the Police Commission to continue this hearing to May 11, 1988; therefore be it

RESOLVED, that the hearing on the disciplinary charges and notice to strike certain allegations in disciplinary charges filed against Police Officer Tony B. Hicks, Potrero Station, is set for Wednesday, May 11, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 745-88

HEARING OF POLICE OFFICER STEVEN J. BOLANDER, COMMUNICATIONS DIVISION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Steven J. Bolander, Communications Division, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Jeremiah Leahy, Attorney at Law representing Officer Steven J. Bolander, that the date for the hearing be continued to June 29, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Steven J. Bolander, Communications Division, is scheduled for Wednesday, June 29, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 746-88

HEARING OF POLICE OFFICER RAYMOND E. WEST, MEDICAL LIAISON

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Raymond E. West, Medical Liaison, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. James P. Collins, Attorney at Law representing Officer Raymond E. West, that the date for the hearing be continued to June 29, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Raymond E. West, Medical Liaison, is scheduled for Wednesday, June 29, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 737-88

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE OFFICER MATTHEW J. McNAUGHTON, CENTRAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Matthew J. McNaughton, Central Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

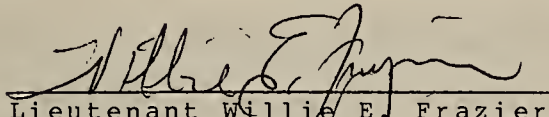
Failure to report the use of force (violation of Sections XII.A and XII.B of General Order F-4 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Police Officer Matthew J. McNaughton, Central Station, is scheduled for Wednesday, April 20, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

The meeting, thereafter, was adjourned at 6:40 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4190M

MAY 4, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, May 4, 1988 at 1730 hours in a Regular Meeting.

Commissioner Nelder presiding.

DOCUMENTS DEPT.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

AUG 8 1988

SAN FRANCISCO
PUBLIC LIBRARY

APPROVAL OF MINUTES OF MEETING OF JANUARY 28, 1988

Approval of Minutes of Meeting of January 28, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 919-88

WILLIAM PLAISANT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Plaisant in the sum of \$190.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 1, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 920-88

JEROME THOMAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jerome Thomas in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 921-88

ELLIS FOOTS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ellis Foots in the sum of \$140.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 24, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 922-88

RAY NUSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ray Nuss in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 923-88

MAURICE HENDRICKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maurice Hendricks in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 9, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 924-88

FRANCIS G. McGOURTY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Francis G. McGourty in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 925-88

CHRISTINE TORRINGTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christine Torrington in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 926-88

RONNIE WATKINS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronnie Watkins in the sum of \$115.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 27, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 927-88

PATRICK JENSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patrick Jensen in the sum of \$102.50 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 928-88

MARY SUE RAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Sue Ray in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 9, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 929-88

THE CITY TOW (MANZANARE, NORMA JEAN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Manzanare, Norma Jean) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 930-88

THE CITY TOW (CASTRO, ANTHONY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Castro, Anthony) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 15, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 931-88

THE CITY TOW (SWEENEY, JOHN C.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Sweeney, John C.) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 29, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 932-88

THE CITY TOW (FOSTER, KEN JOHN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Foster, Ken John) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 29, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 933-88

THE CITY TOW (PREZALAR, KATHLEEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Prezalar, Kathleen) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 934-88

THE CITY TOW (WOLD, JOHN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Wold, John) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 935-88

TERRY PETERSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terry Peterson in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 936-88

DENISE DOOLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Denise Dooley in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 937-88

ERNEST MABRY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ernest Mabry in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 1, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 938-88

LOUIE MASSANTI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Louie Massanti in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 939-88

JAMES MERRON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Merron in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 940-88

JULIO CESAR ZAMORA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julio Cesar Zamora in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 18, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 941-88

MARCUS LIVINGSTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marcus Livingston in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 30, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner GiraudQ

RESOLUTION NO. 942-88

GERALDINE A. MORROW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Geraldine A. Morrow in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 4, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner GiraudO

RESOLUTION NO. 943-88

CARYL OHRBACH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Caryl Ohrbach in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner GiraudO

RESOLUTION NO. 944-88

THOMAS SERAFINI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Serafini in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 4, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner GiraudO

RESOLUTION NO. 945-88

WAYNENARD AITEMON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Waynenard Aitemon in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 4, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner GiraudO

RESOLUTION NO. 946-88

RAUL ARANDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raul Aranda in the sum of \$95.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 947-88

DENISE DIANE ERICKSON

RESOLVED, that the recommendation of the City Attorney for settlement of claim of Denise Diane Erickson in the sum of \$90.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 948-88

MICHAEL SAYLOR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Saylor in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 10, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 949-88

CITY TOW (WILLIAM DARBY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (William Darby) in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 18, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 950-88

CINDY HICKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Cindy Hicks in the sum of \$85.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 28, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 951-88

CARMEN SANDOVAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carmen Sandoval in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 7, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 952-88

MARC GARVEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marc Garvey in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 953-88

CAROL GROSSMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol Grossman in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 15, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 954-88

DINO J. BOUFIDIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dino J. Boufidis in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 955-88

RONALD KRZYZANOWSKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Krzyzanowski in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 956-88

GEORGE L. LIVELY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George L. Lively in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 23, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 957-88

ROSETTA F. JOHNSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosetta F. Johnson in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 1, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 958-88

GERHARD LOWENTHAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gerhard Lowenthal in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 959-88

WING LAI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wing Lai in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 960-88

NORMAN A. PINTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman A. Pinto in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 961-88

LILY TAMURA & GAYLAN ISHIZU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lily Tamura and Gaylan Ishizu in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 962-88

DEBRA WHITEHOUSE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Debra Whitehouse in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 15, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 963-88

JULIE L. AGUILAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julie L. Aguilar in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 27, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 964-88

LYNNE ANDONIAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lynne Andonian in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 965-88

CLIFTON A. COBB

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clifton A. Cobb in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 7, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 966-88

JACKLYN GUM

RESOLVED, that the recommendation of the City Attorney for settlement of claim of Jacklyn Gum in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 967-88

JAMIE A. HEIRICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jamie A. Heirich in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 968-88

JOSEPH D. MARINO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph D. Marino in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 969-88

JEFFREY WHEATON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeffrey Wheaton in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 30, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 970-88

CHRIS W. RINGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Chris W. Ringer in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 11, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 971-88

CITY TOW (ABRAHAM BARNETT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Abraham Barnett) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 972-88

CITY TOW (MICHAEL J. SCHNEIDER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Michael J. Schneider) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 14, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 973-88

CITY TOW (SHEILA TANSSELEY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Sheila Tanssley) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 974-88

MICHELLE S. CASTRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michelle S. Castro in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 2, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 975-88

HARRY F. FONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Harry F. Fong in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 976-88

THOMAS REX McCRAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Rex McCray in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 2, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 977-88

CITY TOW (HARRY WONG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Harry Wong) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 2, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 978-88

CITY TOW (FRANCIS G. PEPPER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Frances G. Pepper) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 27, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 979-88

CITY TOW (JOHN OLIER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (John Olier) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 980-88

CITY TOW (CARM GRANDE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Carm Grande) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 981-88

CITY TOW (LEE NYDER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Lee Nyder) in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 982-88

PAUL RICHARDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Richardson in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 983-88

ROBERT A. DRIES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert A. Dries in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 25, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 984-88

VINCENT FORACI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Vincent Foraci in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 985-88

RAPHAEL WOLFSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raphael Wolfson in the sum of \$75.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 7, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 986-88

CITY TOW (ALVARO MORA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Alvaro Mora) in the sum of \$75.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 987-88

CITY TOW (HUEY OSBORNE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Huey Osborne) in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 29, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 988-88

PASTOR HERNANDEZ SANTOS

RESOLVED, that the recommendation of the City Attorney for settlement of claim of Pastor Hernandez Santos in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 989-88

ANTHONY A. BEALS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony A. Beals in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 16, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 990-88

CITY TOW (MARIE I. STEWART)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Marie I. Stewart) in the sum of \$70.00 as the result of nonpayment of tow, be, and the same is hereby approved.

Date of Incident: July 31, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 991-88

DAVID JOHN HARNES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David John Harnes in the sum of \$17.50 as the result of loss of property, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 992-88

JAMES CORR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Corr in the sum of \$50.00 as the result of loss of money, be, and the same is hereby approved.

Date of Incident: July 28, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 993-88

SHEILA GARDNER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sheila Gardner in the sum of \$45.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 994-88

CITY TOW (STEPHEN V. CHOWLOS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Stephen V. Chowlos) in the sum of \$40.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 995-88

SUNEE HAWORTH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sunee Haworth in the sum of \$25.00 as the result of loss of money, be, and the same is hereby approved.

Date of Incident: September 25, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 996-88

IAN GRAHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michelle S. Castro in the sum of \$20.31 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 1, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 997-88

CITY TOW (MARIO MORENO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Mario Moreno) in the sum of \$20.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 23, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 998-88

JAMES W. NORMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James W. Norman in the sum of \$18.35 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 13, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 999-88

ABC TOWING AND STORAGE (TERRY A. JOHNSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of ABC Towing and Storage (Terry A. Johnson) in the sum of \$10.35 as the result of nonpayment of refund, be, and the same is hereby approved.

Date of Incident: October 18, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

No report.

(a) PUBLIC COMMENTS

No public comments.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he had one item and that was just an update on the Mounted Unit situation that everyone has been reading about during the past week. He said there are still very delicate negotiations going on at the Mayor's Office with the Mayor's Budget Staff and the Mayor. He said as the Commission knows the Department does want to maintain the Mounted Unit and is looking at alternate ways of either finding the funding in different ways in the Police Department or if necessary outside funding. He said the Department believes the Mounted Unit speaks for itself in terms of the high profile positive approach in the Police Department it has certainly been paying for itself with the amount of citations that it has issued. He said even looking at last year it shows that there was 17,290 parking citations given out which equate to about \$349,000.00 and to cut out the Mounted Unit for the amount they are looking for which would be about \$273,000.00 is not right as it does pay for itself. He said they were also looking at other areas in terms of documentation. He said there are 14 officers, 6 stable attendants, 2 sergeants and 1 lieutenant and 24 horses. He said the felony arrests the unit made were 103, misdemeanor arrests 2,335, juvenile arrests 60, there were 90 weapons that were booked and 10 recovered vehicles that had been stolen. He said so the activities of the unit

have been very unhappy. He said he would like to second what his colleagues have said on this basis, that if it comes to push and shove and it becomes necessary to obtain outside funding to maintain the horses, the Commission is saying that the Chief can count on their total support. He said he has always been opposed to the situation where the Policemen have had to go out and sell tickets for a Policemen's Ball but he felt that in this particular case, necessity is the mother of invention and he felt the Department can do it and will do it if it comes to that. He said he hopes it doesn't but if it does he would certainly hope that the Commission and Department can move together and obtain the necessary funding to maintain the Mounted Patrol.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of the OCC said that last week he submitted to the Commission their Annual Report for 1987. He said he would just like to make a couple of comments concerning it and then open it up to any comments or questions that the Commission may have. He said he recently concluded his first six months on the job and while there have been some negative experiences concerning their disciplinary problems within the unit, as well as pending litigation, they are moving in a positive direction with the assistance of the City Attorney's Office and hope to have some of those issues resolved in the very near future. He said in addition and on a more positive side they are moving toward establishing an image to the public that the OCC is fair and honest and that it is doing a creditable job for both the citizens and the police officers of San Francisco. He said he felt this is something they deserve. He said some of the things that they will continue to do that they have begun shortly after he arrived are continuation of the written policies which the OCC will bring forward to the Police Commission and have them approved in public session and also revising some of their office procedures to improve lag time so that the complaints don't sit around for as long as they have been. He said he was reorganizing their personnel, hopefully, with whatever budget changes are made to possibly add people. At this time, he said, he did not really know. He said he has hoped to bring up the level of morale by instituting a spirit of participatory management where the people in the office do have input by having staff meetings and providing him with the information he needs so that good decisions can be made and continue to progress in a positive direction. He then explained some of the contents of the report to the Commissioners as to numbers of sustained and not sustained complaints and the inclusion of a chart as to how the complaints were received.

Commissioner Owens said to Mr. Langer that as he must know the Commission is quite aware of the situation that he encountered when he took on the position as Director of OCC. She said she was pleased to see that he has made some changes, particularly, in the area of policy and bringing it before the Commission and sharing it. She said in relation to personnel staff meetings, this she felt was very important and was one of the areas needed

to be addressed, communications, continuous communications and she said he was doing that. She said she believed Mr. Langer was making all of the necessary steps that possibly could under the circumstances to improve the quality of investigations in relation to OCC and she believes she speaks for her colleagues as well and will continue to support him in his efforts.

Commissioner Sanchez said he would also like to second what has been said by the Commission and also state that it was difficult over time when the reports would tend to be quite lengthy and when one asks about the quality control and validity of data or even the ability to skim through and see the various sub-sets it was very difficult to find. He said in a very short period of time Mr. Langer has listened, along with his staff and others who have been involved and have come in with an outstanding report. A brief, to the point that gives a statistical base which includes all of the sub-sets that have been discussed and he (Comm. Sanchez) felt it was well done and Mr. Langer is to be congratulated for taking a major role in both policy and more important in administration and leadership and come up with a document that does make sense, that can be reviewed, that can be cross based and it does define all of the parameters given the twelve month period that everyone has asked for all of the time.

Mr. John Crew of the ACLU said that he wanted to point out a couple of things in this report that he felt are particularly significant. First, he said, are the mode of complaints. He said the Commission will notice that they had a problem before with complaints over the following: He said the first half of the year, the OCC received 24 complaints by phone, the second half 140, so apparently the phone lines are open for business at the OCC. He said the interesting thing is that that hasn't seemed to impact the total number of complaints contrary to what he personally believes but it is important that people realize that they are there. He said this report shows the OCC sustaining more allegations than ever before. He said in 1986 a maximum of 37 allegations were sustained by this agency and while this is not complete there are still more allegations to come in as it shows 98 allegations being sustained the last year, 1987 and from the ACLU perspective he felt that that was one indication that the job of the OCC is being taken more seriously and the ACLU is very pleased with that.

REQUEST OF THE CHIEF OF POLICE TO REAPPROPRIATE
\$1,070,000 FROM PERMANENT SALARIES - UNIFORMED TO
PERMANENT SALARIES - MISCELLANEOUS (\$400,000),
DIFFERENTIAL PAY (\$75,000), OVERTIME (\$430,000) AND
HOLIDAY PAY (\$165,000)

Lieutenant John Robinson of the fiscal Office said this request was to reappropriate monies and is actually a supplemental to a resolution passed by this Commission in December where the Commission was asked to approve a supplemental appropriation in the amount of 1 million 300 thousand dollars for the same purpose. He said that resolution was never acted upon. The Mayor's Office, he said, wanted to get a

more specific figure. He said this figure, now of 1 million 70 thousand dollars is the latest data the Department has from the Controller's Office and should cover the Department's expenditures through the end of this fiscal year. He said due to the fact that the Department budgeted for two academy classes, that money was put in uniformed salary account and was never expended and now shows as a surplus. He said the Department is running a deficit in miscellaneous salaries, overtime, holiday pay, and differential pay. He said this will carry the Department over to the end of the fiscal year and will also leave some money still in uniform salaries that the Board of Supervisors Finance Committee had put a freeze on.

Commissioner Sanchez said he would accept the recommendation of the Chief and the Department and make a motion to approve this request. Commissioner Owens said that before she seconded this motion, she was trying to recall a meeting where Deputy Chief Casey gave a report on the Budget and requested some funds or approval of funds that would carry the Department through the remainder of this fiscal year. She then asked Lieutenant Robinson what was the relationship between that request and this one?

Lieutenant Robinson said if the Commissioner is referring to the request for approval of a supplemental in the amount of 1 million 320 thousand dollars that was presented to the Commission and approved in December, it was for the same purpose. He said that money was never approved by the Mayor and therefore died at that point. He said the Mayor's Staff have now asked the Department to take another look at the actual numbers and it is now about a quarter of a million dollars less. Commissioner Owens said okay, she would second the motion, and it was thereafter unanimously approved.

RESOLUTION NO. 913-88

REQUEST TO REAPPROPRIATE \$1,070,000 FROM PERMANENT SALARIES - UNIFORMED TO PERMANENT SALARIES - MISCELLANEOUS (\$400,000), DIFFERENTIAL PAY (\$75,000), OVERTIME (\$430,000) AND HOLIDAY PAY (\$165,000)

RESOLVED, the Police Commission hereby approves a request for a supplemental appropriation amounting to \$1,070,000 which will reappropriate \$1,070,000 from Permanent Salaries - Uniformed to Permanent Salaries - Miscellaneous (\$400,000), Differential Pay (\$75,000), Overtime (\$430,000), and Holiday Pay (\$165,000). Further, this request supersedes Police Commission Resolution No. 1716-87.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

REQUEST OF THE CHIEF OF POLICE TO INCREASE THE POLICE DEPARTMENT'S FISCAL YEAR 1988-89 BUDGET BY \$482,784 SO THAT 15 ADDITIONAL DISPATCHERS MAY BE AUTHORIZED

Lieutenant Robinson said this is in addition to the budget proposal that the Commission has already approved and forwarded to the Mayor. He said in studying the needs of the Department the Administration in the past years has always asked for some support in the Communications area because

of the lack of staffing and the need for expenditure for a lot of overtime and this year they have recognized that need and have asked the Department to amend the Budget and ask for this additional funding to provide for 15 additional dispatchers because of the tremendous attrition in that unit. He said Communications has a lot of trouble maintaining their strength and feel that with the addition of 15 Dispatcher Positions it will allow the Department to hire and train and keep staffing at higher levels where the Department will not need to spend overtime and bring police officers in off the street to maintain that function.

Chief Jordan said that the Mayor's Office and the Budget Staff see that situation where the Department now can remove some police officers from Communications, put them out on the street by filling the vacancies of Police Communications Dispatchers which is something that he would have like to have done long ago. He said the Mayor's Staff sees the need and they have approved in advance that particular section of the Department's Budget. He said this is one area where we can see a positive impact unless it is out at the Board level.

Commissioner Sanchez said it is his understanding that the Department's current rate of manpower is down by 127 and by approving this request this will give the Department additional manpower to be released from Communications resulting in sworn officers being placed out into the Districts thereby decreasing that major number currently incurred as a void. Commissioner Sanchez said he would make a motion that the request be granted. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 914-88

REQUEST TO INCREASE THE POLICE DEPARTMENT'S FISCAL YEAR 1988-89 BUDGET BY \$482,784 SO THAT 15
ADDITIONAL DISPATCHERS MAY BE AUTHORIZED

RESOLVED, that the Police Commission hereby requests that the Mayor request the Board of Supervisors to increase the Police Department's Fiscal Year 1988-89 budget by \$482,784 so that 15 additional Dispatchers may be authorized. The additional authorized positions are required so that Communications Division may be fully staffed at all times, freeing Police Officers from the Communications Center.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

REQUEST OF THE CHIEF OF POLICE TO INCREASE THE POLICE DEPARTMENT'S FISCAL YEAR 1988-89 BUDGET BY \$292,107, SO THAT 15 SENIOR PARKING CONTROL OFFICERS
MAY BE AUTHORIZED

Lieutenant Robinson said this again is in response to the diminishing manpower in sworn positions that they anticipate in the next fiscal year due to the hiring freeze in sworn positions. He said the Mayor's Budget Staff wants to create a situation where they will free up sworn people to return to Patrol Duties. He said they are asking the Department to put in this additional monies in

the Department's Budget request to create 15 senior parking control positions so that number one, the supervisors of parking control officers will be done by civilians freeing sworn personnel to return to patrol and also hopefully creating a career path for parking control officers and improving morale. He said the jobs do not now exist, the Civil Service Classification does not exist, therefore, this request and funds will provide six months lead time to get the necessary Civil Service approvals and classify these positions and do whatever testing so that the jobs would not be filled before January 1, 1989.

Chief Jordan said this is the very same type situation as the last item in that the Mayor's Office has agreed that this makes sense and they are appropriating the funds and approving it and the Department now has to go to the next step which will be the Board of Supervisors.

Commissioner Sanchez said he would make a motion for approval of this request. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 915-88

REQUEST TO INCREASE THE POLICE DEPARTMENT'S FISCAL YEAR 1988-89 BUDGET BY \$292,107 SO THAT 15 SENIOR PARKING CONTROL OFFICERS MAY BE AUTHORIZED

RESOLVED, that the Police Commission hereby requests that the Mayor request the Board of Supervisors to increase the Police Department's Fiscal Year 1988-89 budget by \$292,107 so that the new position of Senior Parking Control Officer may be created and that 15 such positions may be authorized.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

SETTING OF DATE FOR DECISION OF COMMISSION IN THE MATTER OF SPECK vs. VETERANS CAB TRANSFER OF ASSETS

Commissioner Nelder said this matter has been around a long time, and a date should be set to dispose of it. Commissioner Sanchez then said he would make a motion to set it for Decision two weeks hence. Commissioner Owens seconded and it was then set for Decision on May 18, 1988.

RESOLUTION NO. 916-88

SETTING OF DATE FOR DECISION OF COMMISSION IN THE MATTER OF SPECK vs. VETERANS CAB TRANSFER OF ASSETS

WHEREAS, the date for the setting of the date for a decision in the matter of Speck Cab Company vs. Veterans Cab Company transfer of assets was called it having been scheduled for this date; and

WHEREAS, it was requested by the Police Commission that the date for the decision in the matter of Speck vs. Veterans Cab Company be set for May 18, 1988; therefore be it

RESOLVED, that the date for the decision in the matter of Speck vs. Veterans Cab Company transfer of assets be set for Wednesday, May 18, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

At this time, Mr. Jote Kejela requested to speak and said actually they (Cab Applicants) have been waiting for this problem with Veterans to be resolved over a year and a half. He said also on another matter he did write the Commission a letter in regards to renewal of cab medallions. He said right now the cab detail is looking for some person who is supposedly dead and owns 11 medallions. He said this is taking a lot of man hours from the cab detail and perhaps it could be placed in the Chief's regulations that once a year the owners must physically appear before the cab detail to prove that they are still alive before they renew the medallions.

Commissioner Nelder said the Commission did read that letter and that it does have a certain amount of merit. He said he and his colleagues know full well from being here that many times the Commission has asked for the owner to be present or information as to if there really is an owner. He said the Commission feels that it makes a great deal of sense and so it will go on the calendar for next week.

HEARING ON DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER GLADYS M. GRAY, MISSION STATION

Ms. Sylvia Courtney, Attorney for Officer Gladys Gray who was also present said that she would like to request a continuance as she had sent a hand delivered letter to the Commission explaining why and if this is the appropriate time she would like to explain to the Commission why that is true.

Commissioner Nelder said he would like to find out first from the Commission if there is any objection.

Mr. Michael Gash, Attorney for the Department said the Department would oppose a continuance mainly because of the history of this case.

Ms. Courtney said she is new on this case as she explained in her letter that they were retained on March 29th. She said they immediately sent a letter to Attorney Gash and a copy to the Commission explaining that her firm did not have the materials upon which the Charges were based against Officer Gray. She said they did not receive those by mail and by letter of April 25th she wrote again to Attorney Gash explaining that they did not have those Charges and requesting discovery. She said he immediately called her, although she said, he indicated that he had called her before but she had not received the message. She said however, they arranged to have the materials picked up on April 27th. She said Officer Gray did pick those up and she (Ms. Courtney) explained in her letter that she was in trial on the 27th and the 29th and she simply

has not had appropriate time. She said this is a case involving drug testing, which as the Commission knows, is highly technical and she is not asking for a long continuance but is only asking for two weeks which would allow her to contact witnesses and prepare the case that Officer Gray deserves to have prepared in her defense. She said Officer Gray would be willing to sign the form for a leave of absence without pay.

Mr. Gash then said he was under the impression that the Commission may be inclined to grant her request, however, he said he should point out the Commission's schedule. To him, he said, two weeks is unacceptable. He said if the Commission is going to grant a continuance no more than one week should be granted and that is based on several factors. He said this case has been hanging a long time. He said Ms. Courtney did write him a letter and it came in while he was on vacation. He said he called as soon as he returned and left a message not only for her but for Mr. Vincent Courtney who had actually signed the original letter to Mr. Gash. He said he received no response and finally he received the letter written the 25th demanding all of this material. He said Officer Gray knows the procedures she could have easily picked it up and she did finally come down and pick it up but nevertheless, he said, two weeks from today is May 18th. He said as the Commission can recall, Mr. Clifton Jeffers, Attorney representing Officers Hollins and Jones has already stated to the Commission that the proceeding that has been set for that date which has been mandated by the Writ of Mandate from Superior Court is going to take some time. If the Commission takes is going to grant a continuance then no longer than one week should be granted.

Commissioner Owens said she would make a motion for a continuance of one week. Commissioner Sanchez said he would second that motion and it was unanimously approved.

RESOLUTION NO. 917-88

HEARING OF POLICE OFFICER GLADYS M. GRAY, MISSION STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Sylvia Courtney, Attorney at Law representing Officer Gladys M. Gray, that the date for the hearing be continued to May 11, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, is scheduled for Wednesday, May 11, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 912-88

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE
OFFICER DANIEL BAKER, POTRERO STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Daniel Baker, Potrero Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to obey the lawful orders of a superior (violation of Rule A-11 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Police Officer Daniel Baker, Potrero Station, is scheduled for Wednesday, May 11, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

HEARING OF POLICE OFFICER RICHARD V. MANNING,
SPECIAL OPERATIONS DIVISION, TRAFFIC COMPANY
(CONTINUED FROM MEETING OF APRIL 27, 1988)

The hearing of the disciplinary charges filed against Police Officer Richard V. Manning, Special Operations Division, Traffic Company, was called it having been continued from the meeting of April 27, 1988. Police Officer Richard V. Manning was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Richard V. Manning appeared in person and was represented by Mr. Kevin Hughes, Attorney at Law.

The following witnesses appeared for the Prosecution, were sworn and testified:

Criminalist Terry Coddington, Crime Lab
Sergeant James Baca, Management Control Division

The following exhibits were entered into evidence by the Prosecution:

Exhibit #3	8"x11" Color photo of Analyzed Evidence Report No. A015-87/88, Lab #87051783.
Exhibit #4	Evidence Envelope containing actual items as depicted in Exhibit #3 and remains in custody of Criminalist Coddington

The following witness was recalled by the Defense, having previously been sworn, testified:

Officer Richard V. Manning, Traffic Company,
Solos

Closing statements were then made by both the Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, after which the following resolution was adopted:

RESOLUTION NO. 918-88

DECISION - HEARING OF POLICE OFFICER RICHARD V. MANNING, SPECIAL OPERATIONS DIVISION, TRAFFIC COMPANY

WHEREAS, on December 23, 1987, Frank M. Jordan, Chief of Police, made and served charges against Police Officer Richard V. Manning as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

- (1) At all times herein mentioned, Richard V. Manning, Star No. 476, (hereinafter referred to as "the accused") was and is a Police Officer, employed by the San Francisco Police Department, assigned to the Special Operations Division - Traffic Company;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) On or about August 1, 1987, at approximately 1725 hours, the United States Coast Guard received reports that the boat owned by the accused was being operated in a dangerous, reckless manner and that the operator of the boat appeared to be intoxicated;

- (4) On or about August 1, 1987, at approximately 1758 hours the boat owned by the accused was boarded by the United States Coast Guard. The accused was on board the boat at the time of the boarding;
- (5) During the boarding, the accused was observed to have bloodshot eyes and constrictive pupils. A small quantity of marijuana was observed on a table in the salon area and small amounts of marijuana were located in the bathroom, in the toilet bowl, under the sink, in a pair of tennis shoes and in the forward stateroom an ashtray was found which contained five (5) marijuana roaches and a pipe and papers were found;
- (6) The accused, by having marijuana and marijuana paraphernalia on his boat, has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, April 27, 1988 and Wednesday, May 4, 1988, and on Wednesday, May 4, 1988, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Richard V. Manning, Special Operations Division, Traffic Company, as contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, are not sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Richard V. Manning has not violated Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that said charges contained in Specification No. 1, violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, be, and the same are hereby dismissed.

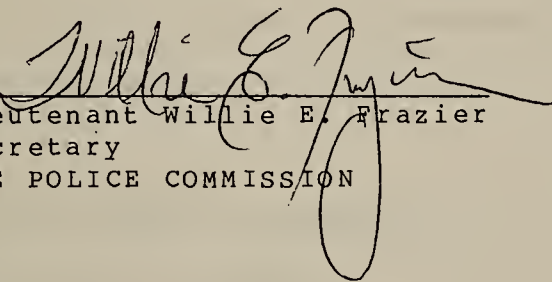
AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Officer
Richard V. Manning:

7:48 p.m. to 8:00 p.m.

(The entire proceedings were taken in shorthand
form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 8:02
p.m..



Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4196M

Minutes
MAY 11, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, May 11, 1988 at 1730 hours in a Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Owens, Sanchez
ABSENT: Commissioner Nelder

DOCUMENTS DEPT.

AUG 8 1988

SAN FRANCISCO
PUBLIC LIBRARY

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 4, 1988

Approval of Minutes of Meeting of February 4, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

No Consent Calendar.

POLICE COMMISSION REPORT

Commissioner Sanchez said he would like to make a comment in that he would like to thank the Chief and the Department for the outstanding police services rendered this weekend especially in reference to the Cinco De Mayo Celebrations in the Mission District where they had both the parade and activities and people coming from all around. He said the police services were performed with the highest standards of excellence in the Department and there were more comments from people outside of the Community saying, "My gosh, does the San Francisco Police always cooperate this way?" He continued by saying that it was a really fantastic operation and on behalf of many people he just wanted to share that with everyone present here tonight.

(a) PUBLIC COMMENTS

Mr. John Membrane came forth and said he wanted to make a complaint in that there are many prostitutes constantly operating in and out of his apartment house complex. He said he has reported this numerous times to the police department and that he has a long list of names of police officers to whom he has reported this to but nothing has been done. He said he has even tried to report it directly to the Chief of Police but has only gotten the run around and this has gone on for 25 years.

Commissioner Giraudo then advised him to write out his name and address and phone number and assured him that the Chief of Police will have someone look into the matter who will report back to the Chief and the Chief then to the Commission to make sure that Mr. Membrane's situation has been looked into thoroughly and handled properly.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he would report to the Commission about two items. The first is the Annual Review of the School Safety Patrol held today out in Golden Gate Park at the Polo Fields. He said there were about 1,500 students from public and both private and parochial schools on parade and it was done extremely well. He said Commissioner Giraudo, the President of the Police Commission was also there and he would, at this time, like to thank Commissioner Giraudo and the entire Commission for their support. He said he would like to publicly acknowledge Sergeant Fred Pardella who is in charge of the School Safety Patrol for the outstanding work that was done there today and the show of appreciation that the Sergeant had received from the various schools of San Francisco. He said he feels that the record speaks for itself in that with thousands of school children using all of the intersections around the schools, where again there were no accidents, no injuries, or fatalities year after year for 65 years is a tremendous record and the Department is very proud of it. He then said the other comment that he has is that the Department is still working on the issue of the Budget with the Mayor's Office and that is still a long way from being resolved as no one knows what will happen with the two ballot measures, Proposition B and Proposition K, which has some bearing on what the ultimate budget is going to be. He said they will continue to work with the Mayor's Office in this regard.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of the OCC said he just wanted to echo the Chief's words on the budget as the OCC is in the same position. He said those two ballot measures will obviously impact the OCC as well.

REQUEST OF POLICE OFFICE GLADYS M. GRAY, MISSION STATION, FOR A LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF DISCIPLINARY CHARGES

Mr. Sylvia Courtney, Attorney for Officer Gladys Gray, came forth and Mr. Michael Gash, Attorney for the Department, addressed the Commission saying that this matter deals with just the formality of Officer Gray submitting her request to extend her leave request.

Ms. Courtney stated that she was informed by her client that the Commission would not hear the matter involving Officer Gray this evening.

Commissioner Giraudo, acknowledging, advised her that another date for the hearing must be set this evening and Mr. Gash suggested May 25th. Ms. Courtney agreed to this date and thereafter, as far as the leave request was concerned, it was moved by Commissioner Sanchez for approval and seconded by Commissioner Owens, it was then unanimously approved.

RESOLUTION NO. 1003-88

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF
CHARGES - POLICE OFFICER GLADYS M. GRAY, MISSION
STATION

WHEREAS, Police Officer Gladys M. Gray, Mission Station, was suspended without pay on September 14, 1987, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Gladys M. Gray has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Gladys M. Gray, Mission Station be placed on Leave of Absence Without Pay at her request for a period of 34 days commencing May 6, 1988 through June 8, 1988, be, and the same is hereby approved.

AYES: Commissioners Giraudo, Owens, Sanchez
ABSENT: Commissioner Nelder

HEARING ON DISCIPLINARY CHARGES FILED AGAINST POLICE
OFFICER GLADYS M. GRAY, MISSION STATION

Commissioner Giraudo said that because of a lack of a quorum, this matter will be continued as the motion has been made by Commissioner Sanchez for a continuance to May 25th. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 1004-88

HEARING OF POLICE OFFICE GLADYS M. GRAY, MISSION
STATION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Sylvia Courtney, Attorney at Law representing Officer Gladys M. Gray, that the date for the hearing be continued to May 25, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, is scheduled for Wednesday, May 25, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Owens, Sanchez
ABSENT: Commissioner Nelder

DISCUSSION ON POSSIBLE REQUIREMENT OF MANDATORY
APPEARANCE OF OWNERS SEEKING RENEWAL OF TAXICAB
MEDALLION

Mr. Jote Kejela submitted a letter this date to the Commission to which he requested Commissioner Giraudo read into the record:

"Every December 31st and June 30th, the San Francisco Taxi Cab medallions are renewed. Wouldn't it help the Department to make it mandatory that at least on one of these dates an owner has to be physically present at the Permits Office to have his medallion renewed?"

After reading the letter, Commissioner Giraudo asked Mr. Kejela if he had some reasons for wanting this procedure made mandatory to have medallion owners personally appear on a yearly basis for renewal.

Mr. Kejela said as an example he asked Sergeant Mannini of the Permit Section about a man who owns 11 medallions in Veterans Cab Company and no one seems to know where he is or what has happened to him. He said rumor has it that he has died in Greece. He said this would require a lot of man hours as this is an old medallion and he doesn't have to turn up. He said whoever is managing Veterans only has to come up with a piece of paper with a signature on it and the medallion is renewed.

Commissioner Giraudo said he felt that it is within the purview of the Chief of Police, if he so desired, that he could request to see this individual and Veterans would have to comply. Mr. Kejela said this is his point in that, why couldn't this be in the Chief's Rules and Regulations as being mandatory in everyone's case.

Mr. Marv Gralnik, General Manager of DeSoto Cab Company and San Francisco Taxi Association said that they would like to address this matter and that they would be against such a measure. He said the 11 permits that Mr. Kejela is speaking about at Veterans are owned by the Speck family and they are listed under the Speck Estate and they are all alive and well over there. He said it would be an undue hardship as one of their retired members live in Costa Rica. He said this member goes to the American Embassy over there every year and personally has his forms signed and notarized by the Embassy and sent to the United States and to DeSoto Cab Company. He said he in turn submits it to the Police Department. He said if there are any doubts about anybody being alive or who isn't, then they could certainly inform the Taxicab Detail and it could be checked out. He said he knew of none, so far, it has been working very well for the Police Department and they have had no complaints over this. He said they would object to have people come down to the police department as they have people living in Washington, they have widows that live down in San Mateo and Napa, and it would be an inconvenience and a hardship on people who are elderly, some of them who are in their 70's and 80's to do this and the signatures could be compared from year to year and then they are notarized. He said he did not know how much more they could do but they would respectfully request that the Commission leave things the way they are and not look for any more problems.

Sergeant Mannini, from the Taxicab Detail said that he would have to echo the statement of the last speaker. He said the Department does have 811 medallions that are out there, currently operating and if people were required to come in person it

would require one or two of his people to perform counterservice the majority of the day to try and address the people's problems, answer questions, make sure their forms are filled out correctly. He said his unit is back logged at this time from the work that is normally done and if something like what has been proposed is added it would certainly place another undue hardship on the unit and cause day to day operations to move even slower. He said he did receive notices of deaths of owners of medallions from many sources and the one that Mr. Kejela was speaking of was Mr. John Mardakis and this is currently under investigation. He said in this case Mr. Mardakis' form is not due until the first week in July.

Commissioner Giraudo then said that this is an interesting dilemma in that if the Detail received these papers from Mr. Mardakis or somebody from Veterans brought them in it is conceivable that his relatives in Greece does not want him to lose those medallions if he was dead. It would be very difficult for the Sergeant to trace something like that.

Sergeant Mannini said that what they (the Detail) could do would be to obtain a copy of his driver's license if he had one here and have the signatures verified.

Commissioner Giraudo then said he felt people should probably go about life giving other people the benefit of the doubt with respect to their integrity and in this instance if the Sergeant is going to conduct an investigation he would hope that he would be able to come forward with an answer as to whether this man is alive or not. He said he did not feel Mr. Kejela's suggestion is practical and if there is no motion to put some resolution or a new regulation into effect, the Commission will just close the matter on that note.

RESOLUTION NO. 1000-88

SETTING OF DATE FOR HEARING OF POLICE OFFICER DANIEL BAKER, POTRERO STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Daniel Baker, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, that the date for the hearing of disciplinary charges filed against Officer Daniel Baker be set for July 20, 1988; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Daniel Baker, Potrero Station, is set for Wednesday, July 20, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Owens, Sanchez
ABSENT: Commissioner Nelder

RESOLUTION NO. 1001-88

RESETTING OF DATE FOR HEARING OF POLICE OFFICER
ROWLAND WING, PARK STATION

WHEREAS, the date for the resetting of the hearing of the disciplinary charges filed against Police Officer Rowland Wing, Park Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Police Officer Rowland Wing be reset for August 10, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Rowland Wing, Park Station, is reset for Wednesday, August 10, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Owens, Sanchez
ABSENT: Commissioner Nelder

HEARING ON THE STATUS OF THE DISCIPLINARY CHARGES
AND NOTICE TO STRIKE CERTAIN ALLEGATIONS IN
DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER
TONY B. HICKS, POTRERO STATION

Mr. Gash said this item is just here as a procedural matter until receipt of a written opinion from the City Attorney which has not yet arrived. He said he would suggest that it be continued for another 30 days. Commissioner Sanchez then moved to continue it for 30 days, Commission seconded and it was unanimously approved.

RESOLUTION NO. 1002-88

HEARING ON DISCIPLINARY CHARGES AND NOTICE TO STRIKE
CERTAIN ALLEGATIONS IN DISCIPLINARY CHARGES FILED
AGAINST OFFICER TONY B. HICKS, POTRERO STATION

WHEREAS, the date for the hearing and notice to strike certain allegations in disciplinary charges filed against Police Officer Tony B. Hicks, Potrero Station, was called it having been set for this date; and

WHEREAS, the requested City Attorney's opinion regarding this matter has now been received as of this writing, and the matter will be on the calendar for setting of a date for a hearing on May 25, 1988; therefore be it

RESOLVED, that the setting of a date for the hearing on the disciplinary charges and notice to strike certain allegations in disciplinary charges filed against Police Officer Tony B. Hicks, Potrero Station, is set for Wednesday, May 25, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Owens, Sanchez
ABSENT: Commissioner Nelder

The meeting, thereafter, was adjourned at 6:02
p.m..



Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4203M

MAY 18, 1988

Minutes
REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, May 18, 1988 at 1730 hours in a Regular Meeting.

Commissioner Nelder presiding.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

DOCUMENTS DEPT.

AUG 16 1988

SAN FRANCISCO
PUBLIC LIBRARY

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 11, 1988

Approval of Minutes of Meeting of February 11, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1012-88

KIRK GAINES vs. CITY & COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Kirk Gaines vs. City and County of San Francisco, et al in U.S. District Court No. C87-0597 TEH in the sum of \$2,100.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 9, 1986

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1013-88

CHRISTEL HERDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Christel Herda in the sum of \$1,325.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 15, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1014-88

BENJAMIN MIZRYUKHIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Benjamin Mizryukhin in the sum of \$852.24 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 27, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1015-88

RUBEN PEDROZA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruben Pedroza in the sum of \$552.50 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 1, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1016-88

ANTHONY J. SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anthony J. Smith in the sum of \$518.51 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 25, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1017-88

MALCOLM JAMES WOOD vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made in Small Claims Court No. 474-558 in Malcolm James Wood vs. City and County of San Francisco in the sum of \$421.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 16 - 21, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1018-88

NORMAN A. HALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman A. Hall in the sum of \$396.42 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 4, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1019-88

MARIA VILLALOBOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maria Villalobos in the sum of \$376.93 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 6, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1020-88

IAN DENG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ian Deng in the sum of \$256.32 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 26, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1021-88

ANDREW TOFINI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew Tofini in the sum of \$160.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 16, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1022-88

RICHARD S. WORTMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard S. Wortman in the sum of \$145.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1023-88

MONROE EDWARDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Monroe Edwards in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

RESOLUTION NO. 1028-88

RONALD CAIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Cain in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1029-88

JAMES STEVEN GOTTESMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Steven Gottesman in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1030-88

MAUREEN DUGAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Maureen Dugan in the sum of \$100.00 as result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1031-88

NANETTE WON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Nanette Won in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1032-88

DAN SIMON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dan Simon in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 30, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1033-88

PHILIP D. WITTE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Philip D. Witte in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 9, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1034-88

JOAQUIN RUIZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joaquin Ruiz in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1035-88

PAUL HACHTEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Paul Hachten in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1036-88

AMIN NAMAVAR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Amin Namavar in the sum of \$90.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 26, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

Date of Incident: April 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1024-88

GILBERT Y. FONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gilbert Y. Fong in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 4, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1025-88

SHELLY O'GUINN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Shelly O'Guinn in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1026-88

JILL KEKKE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jill Kekke in the sum of \$125.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 28, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1027-88

RICHARD D. ROGLES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard D. Rogles in the sum of \$102.50 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: Marcy 30, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1037-88

PEGGY PARKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peggy Parks in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1038-88

BRANDT NICHOLSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brandt Nicholson in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 18, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1039-88

KEITH BURTSCHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith Burtscher in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1040-88

MEIQIAO ZHU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Meiqiao Zhu in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 11, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1041-88

SARAH L. COHEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sarah L. Cohen in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1042-88

MINDY L. MANVILLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mindy L. Manville in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1043-88

ERIN M. MORPHY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Erin M. Morphy in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1044-88

BOB KAUFMAN vs. CITY & COUNTY OF SAN FRANCISCO, et al

RESOLVED, that judgment made in Small Claims Court No. 475-089 in Bob Kaufman vs. City and County of San Francisco, et al in the sum of \$65.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 29, 1987

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1045-88

ROBERT G. HODGKINSON, SR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert G. Hodgkinson, Sr. in the sum of \$50.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 2, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1046-88

CARMELITA ARROYO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carmelita Arroyo in the sum of \$6.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 3, 1988

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

Commissioner Juanita Owens said she would like to share something with the Commission and the Chief. She said she would like to congratulate the men and women officers of the Mission Station. She continued by saying that she participated in the Bike-a-Thon this past weekend and the officers were participants as well. She said Commander Michael Lennon was there as well as Lieutenant Anthony Ribera as participants. She said she just wanted to bring it to the attention of the Commission and Chief and congratulate the officers for their efforts and contribution. Chief Jordan thanked the Commissioner and advised her that he would see that the officers are properly recognized.

(a) PUBLIC COMMENTS

Mr. Bill Paul approached the Commission and said that he appeared before the Commission some weeks ago with a complaint on behalf of the Stonewall Gay Democratic Club and the Alice B. Toklas Lesbian and Gay Democratic Club acting as their representative. He said they were assisted in this by the ACLU (American Civil Liberties Union). He said he has now had to file another complaint as yesterday he was contacted at home by Inspector Frank McCoy who is one of the named officers in the complaint and the Inspector interrogated him (Paul) about the nature of this complaint and the source of the complaint. Mr. Paul continued by saying that the Inspector asked him if he were personally responsible for it and if Mr. Paul had initiated it. Mr. Paul said he advised the Inspector that he hadn't and that he was representing various Civil Rights Organizations. He said the Inspector asked him who had helped him fill out the complaint. He said he told the Inspector that the ACLU's Mr. John Crew, Legal Counsel. He said the Inspector asked him a few more things about his complaint and he said he told the Inspector that at this point he (Paul) felt that the conversation was improper. He said the Inspector continued to interrogate him and never asked his permission. Mr. Paul said the tone and content of all of this was that of an official investigation. Mr. Paul said the impropriety was apparent in that it was intimidating and coercive and he felt it would have a chilling effect on any investigation for the complainant to be contacted by one of the officers under investigation. He said also there was a personal tone to it and that he found out, highly inappropriate, subsequently when OCC discovered that the Inspector had taped this

conversation without Mr. Paul's knowledge and without his permission. He said he felt this was highly improper and that it calls for very immediate action.

Commissioner Nelder then asked Mr. Paul if he had spoke with someone from the OCC and Mr. Paul advised that he had and it is now also under investigation. Commissioner Nelder then said that at this point he was going to say that if in fact there is some verification to this complaint, this case may very well wind up before the Commission and the Commission is not in a position to entertain any further evidence at this time otherwise the Commission would have to disqualify itself as triers of fact in the future.

Mr. John Wahl, member of the Stonewall Gay Democratic Club and Harvey Milk Lesbian and Gay Democratic Club and the Alice B. Toklas Lesbian and Gay Democratic Club and he also named a list of other such memberships, said that he had heard about this matter within the last hour. He said the Commission may have already heard enough to disqualify itself but he was not concerned about that but he was concerned about the SFPD getting out of control in an intimidatory and in an intimidating manner. He said they, as a community, will not put up with this sort of thing and they respectfully ask the Commission to do something now about this, not wait for an investigation.

Commissioner Sanchez said that he would just like to respond at this point because he felt it very important in the Commission's process as a public body along with the Chief of Police and the Director of OCC, that in essence there have been comments made regarding one of the SFPD's officers. He said he felt there is enough of the concern that has been voice and the Chief has already indicated that he will respond immediately pertaining to an administrative review. He said the Commission has also been informed by the Director of OCC that he will continue on with the initial part of the investigation and right now this is a new part of the investigation. He said so the process that has taken so many years to establish is now operational at this point. He said all they can do as a Commission will do everything it can to insure that a complete and objective process is followed both from a management investigation and also from the OCC. He said he really feels that if the Commissioners make any comments or ask for additional information or etcetera, they may jeopardize that process which has taken so long to institutionalize here in San Francisco. He said that is the only thing that he wanted to clarify for the audience this evening.

Mr. John Crew, Attorney for the ACLU, said he would be very brief and would not go into the specifics of the allegation but he felt compelled to remind the Commission that what is clear in the Charter and General Order L-1 is that all police officers have the obligation to cooperate fully. He said unfortunately this is not the first time this has occurred. He said less that six months ago, there was a woman who was ready to walk into an OCC Hearing and was suddenly served at the last minute by a defamation action by an officer who apparently intended to scare her out of testifying. He said

what he believed the Commission can do without jeopardizing the integrity of the on-going investigation is to remind this officer and all officers that they must cooperate with the OCC that they must provide all evidence that they must answer all questions and that the OCC process exist as a legitimate independent legal function because apparently still, 5 years after the creation of this agency, there are officers who don't have that message. He said the final thing that he needs to say is that the ACLU views as very, very serious telephone conversations being recorded without the knowledge of the participants.

Mr. Ed Burke, taxi cab driver, said he was here tonight because of his concerns about the taxi driver being murdered last week. He said a few years ago, he was robbed with a gun and he felt real lucky to get away with his life. He said he felt it would help cab drivers if the on-going reports that the Police have of who is doing the robbery or the descriptions or information they have on suspects be made available to the cab drivers, all companies and at the Airport Lot so that they can understand and see what is going on. With this information, he said, they may be able to take some evasive action of their own or maybe recognize someone on the street or just having access to kind of information would be very helpful.

Chief Frank Jordan said that what he would like to recommend here is to have members of the Taxi Cab Industry meet with the Department's investigative units on this very issue to see what information the cab drivers would need so that the drivers will not have too many hundreds of reports coming through but the various ones that are believed to be the most appropriate. He said to Mr. Burke that the industry is invited to sit down and talk with the Department's Robbery Detail and with the Deputy Chief of Investigations and it may tie into Homicide, Robbery, Assault or whatever to see what kinds of information needs sharing.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he had one item in that a couple of weeks ago some discussion was held about the abandoned vehicles in San Francisco. He said he had Sergeant Fred Pardella here from the Traffic Division to give the Commission an update as to where the Department is with the whole tow situation in San Francisco.

Sergeant Pardella said he would like to begin by saying that his division is towing approximately 200 abandoned autos every week. He said they have initiated some new programs which they feel will be of benefit to everyone. He then displayed a poster which he said was paid at the expense of City Tow Company and the Poster states: "We will pay \$40.00 for your parking space." He said what this aims to do is to obtain voluntary compliance. He said this if for people who have borderline or potential cars that may be abandoned and the Department wants them to turn it in on their own without any police involvement. He said the procedure would be to call the number on the poster which would give them instructions as to how to do it. He said, in

addition to this, City Tow will donate \$5.00 for each car to the Mayor's City Homeless Fund. He said these signs will be on billboards on buses and in every police station. He said their program calls for specially marking abandoned vehicles advising owners of this new procedure in hopes of negating the Department having to go out and tow the vehicle. He said they also have a new procedure called the junk line which they hope to implement next week. He said this is a program where people would call 781-JUNK and their message will be recorded on tape. He said the tapes will be edited, placed into a computer and, hopefully he said, this will eliminate the redundancy of having an officer from a District Station go out and mark a car, an Officer from the Traffic Division go out and mark the car or a Parking Control Officer doing the same. He said once it is the system for a week they will say why hasn't this car been removed and then take immediate action. He said according to the California Vehicle Code, the Traffic Division's Tow Detail can go after the last registered owner of any abandoned car and that owner can be assessed, through citation process, the cost of removal of the abandoned auto which is estimated to be about 200 dollars. He said what they would like to do is when they eventually get the program to where they feel they can expend other resources is to undertake that program.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of the OCC, said he had no report for the Commission tonight.

RESOLUTION NO. 1006-88

AUTHORIZING ACCEPTANCE OF REWARD FROM U.S. NAVY TO OFFICER NICHOLAS SHIHADAH

RESOLVED, that the Police Commission hereby authorizes Officer Nicholas Shihadeh, Northern Station, to accept a reward of either \$50.00 or \$75.00 from the U.S. Navy for services rendered on March 26, 1988 in the arrest of a U.S. Navy deserter.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1008-88

RESETTING OF DATE FOR HEARING OF POLICE OFFICER EDDIE L. COLEY, POTRERO STATION

WHEREAS, the date for the resetting of the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law, representing the San Francisco Police Department, that the date for the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley be reset for August 17, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Eddie L. Coley, Potrero Station, is reset for Wednesday, August 17, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1010-88

HEARING TO RECONSIDER THE RECORD IN DECISION TO
SUSTAIN CHIEF'S SUSPENSION IMPOSED ON OFFICER RONALD
HOLLINS, SOUTHERN STATION

WHEREAS, the date for the hearing to reconsider the record in decision to sustain Chief's suspension imposed on Police Officer Ronald Hollins, Southern Station, was called it having been continued from the meeting of March 16, 1988; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, and agreed by Mr. Clifford Jeffers, Attorney at Law representing Officer Ronald Hollins, and by the Police Commission, that the date for the hearing in the matter of Officer Ronald Hollins be set for June 29, 1988; therefore be it

RESOLVED, that the hearing to reconsider the record in decision to sustain the Chief's suspension imposed on Officer Ronald Hollins is set for Wednesday, June 29, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1011-88

HEARING TO RECONSIDER THE RECORD IN DECISION TO
SUSTAIN CHIEF'S SUSPENSION IMPOSED ON OFFICER JAMES
D. JONES, SOUTHERN STATION

WHEREAS, the date for the hearing to reconsider the record in decision to sustain Chief's suspension imposed on Police Officer James D. Jones, Southern Station, was called it having been continued from the meeting of March 16, 1988; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, and agreed by Mr. Clifford Jeffers, Attorney at Law, representing Officer James D. Jones, and by the Police Commission, that the date for the hearing in the matter of Officer James D. Jones be set for June 29, 1988; therefore be it

RESOLVED, that the hearing to reconsider the record in decision to sustain the Chief's suspension imposed on Officer James D. Jones is set for Wednesday, June 29, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1005-88

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE
INSPECTOR RICHARD D. ESTRADA, INVESTIGATIONS BUREAU,
GENERAL WORK DETAIL

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Inspector Richard D. Estrada, Investigations Bureau, General Work Detail, as follows:

SPECIFICATION NO. 1

Failure to obey written orders of the Department applicable to his assignment (violation of Rule A-10 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 2

Failure to take proper care of Department property (violation of Rule A-22 of General Order D-1 of the San Francisco Police Department);

SPECIFICATION NO. 3

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Police Inspector Richard D. Estrada, Investigations Bureau, General Work Detail, is scheduled for Wednesday, May 25, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

DECISION IN THE MATTER OF SPECK vs. VETERANS CAB
COMPANY TRANSFER OF ASSETS

Commissioner Nelder advised the people present in this matter that Commissioner Giraudo wanted to be in attendance when this matter was acted upon by the Commission. He said also, it is his suggestion that the full Commission be here at that particular time. He said it is unfortunate that people interested in this are here and Commissioner Giraudo is not but do deserve the consideration of the full Commission.

Commissioner Sanchez said this matter has involved a great deal of time both in reference to all parties involved and also the Commission in particular, President Giraudo, who did write for comment and opinion from the City Attorney's Office which has now been rendered. He said Commissioner Giraudo has asked, and the Commission discussed, that basically if possible he would like to be here pertaining to the reading of it because there are some specific matters which the Commission has to

consider in both its deliberations, vote, and findings. He said with due apology to everybody present as it is just one of those things that happened to come up at this point he would make a motion for a two week continuance to June 1, 1988. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 1009-88

DECISION OF COMMISSION IN THE MATTER OF SPECK vs. VETERANS CAB TRANSFER OF ASSETS

WHEREAS, the date for a decision in the matter of Speck Cab Company vs. Veterans Cab Company transfer of assets was called it having been scheduled for this date; and

WHEREAS, it was requested by the Police Commission that the date for the decision in the matter of Speck vs. Veterans Cab Company be continued to June 1, 1988; therefore be it

RESOLVED, that the date for the decision in the matter of Speck vs. Veterans Cab Company transfer of assets be set for Wednesday, June 1, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

RECOMMENDATION OF THE CHIEF OF POLICE FOR REVOCATION OF LIMOUSINE PERMIT L-50 HELD BY KENNETH WARNER

Sergeant Gary Mannini, Permit Section, said he was advised that Mr. Kenneth Warner who held limousine permit #L50 had passed away. He said the notification came from his wife. He said the Legal Division of the Department made the recommendation that it should be brought before the Commission so that anyone who wishes to protest it can utilize this as their Administrative Remedy to carry it farther. Then he said, there would be an administrative finality to the action. Commissioner Owens said she would make a motion to accept the recommendation for revocation. Commissioner Sanchez seconded and it was unanimously approved.

RESOLUTION NO. 1007-88

RECOMMENDATION OF THE CHIEF FOR REVOCATION OF LIMOUSINE PERMIT L-50 HELD BY KENNETH WARNER

WHEREAS, the hearing on the recommendation of the Chief of Police for revocation of Limousine Permit L-50 held by Kenneth Warner was called, it having been set for this date; and

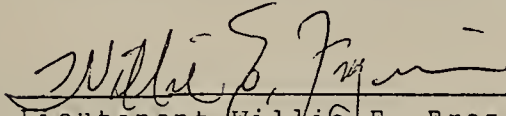
WHEREAS, the Permit Detail became aware of the death of Kenneth Warner, and his death has been substantiated by a death certificate; and

WHEREAS, the permit reverts to the City and County of San Francisco pursuant to Appendix F of the City Charter; therefore be it

RESOLVED, that it is the findings and decision of the Commission, based on the evidence presented, to revoke Limousine Permit L-50 held by Kenneth Warner.

AYES: Commissioners Nelder, Owens, Sanchez
ABSENT: Commissioner Giraudo

The meeting was then adjourned at 6:40 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4209M

MAY 25, 1988

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, May 25, 1988 at 1700 hours in Closed Session.

Commissioner Giraudo presiding.

1. Attorney-Client Conference

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

MAY 25, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, May 25, 1988 at 1730 hours in Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

DOCUMENTS DEPT

AUG 22 1988

SAN FRANCISCO
PUBLIC LIBRARY

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 18, 1988

Approval of Minutes of Meeting of February 18, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1052-88

JEFFREY GOLDMAN vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Jeffrey Goldman in the sum of \$12,000.00 entitled "Jeffrey Goldman vs. City and County of San Francisco, et al" in Superior Court No. 879-857 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 4, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1053-88

FA NING YE, et al vs. CITY & COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Fa Ning Ye in the sum of \$11,805.44 entitled "Fa Ning Ye, et al vs. City and County of San Francisco" in Municipal Court No. 937-973 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 6, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1054-88

MARGOTH BARRERA vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Margoth Barrera in the sum of \$1,500.00 entitled "Margoth Barrera vs. City and County of San Francisco, et al" in Municipal Court No. 862-141 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 17, 1983

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1055-88

DAVID GORI vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of David Gori in the sum of \$1,000.00 entitled "David Gori vs. City and County of San Francisco" in Superior Court No. 838-276 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 11, 1985

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1056-88

ANDRZE PACZYNSKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrzej Paczynski in the sum of \$700.77 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 7, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1057-88

JONES TOWING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jones Towing in the sum of \$366.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1058-88

THE CITY TOW (JOHN A. STEWART)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (John A. Stewart) in the sum of \$300.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 26, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1059-88

THE CITY TOW (JERRIOLD RAUSSE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jerriold Rausse) in the sum of \$265.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 15, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1060-88

THE CITY TOW (WONG, JIM Y.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Wong, Jim Y.) in the sum of \$260.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1061-88

THE CITY TOW (JAMES, DARREN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (James, Darren) in the sum of \$260.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1062-88

THE CITY TOW (ANNE MURRELL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Anne Murrell) in the sum of \$227.50 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 29, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1063-88

THE CITY TOW (GLASS J. GARLAND)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the City Tow (Glass J. Garland) in the sum of \$225.00 as a result of a damages sustained, be, and the same is hereby approved.

Date of Incident: August 30, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1064-88

EDWARD L. COHN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edward L. Cohn in the sum of \$200.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1065-88

THE CITY TOW (ARNETTE ROSS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Arnette Ross) in the sum of \$200.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 17, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1066-88

THE CITY TOW (YEE, CHARLES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Yee, Charles) in the sum of \$190.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1067-88

MARGARET A. LITTLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margaret A. Little in the sum of \$190.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1068-88

THE CITY TOW (BRILL, JONATHAN K.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Brill, Jonathan K.) in the sum of \$175.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1069-88

PATRICIA M. ZEMOGH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patricia M. Zemogh in the sum of \$175.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1070-88

THE CITY TOW (SMITH, MICHAEL L.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Smith, Michael L.) in the sum of \$170.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1071-88

THE CITY TOW (KWONG, WONG GEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Kwong, Wong Gee) in the sum of \$160.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1072-88

THE CITY TOW (DUNHAM, DEBBY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Dunham, Debby) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1073-88

THE CITY TOW, (DAWSON, JOANNE LEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Dawson, Joanne Lee) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1074-88

THE CITY TOW, (BYERS, UNA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Byers, Una) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 26, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1075-88

THE CITY TOW (HALL, ROSIE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Hall, Rosie) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1076-88

THE CITY TOW (FLORES, ANTONIO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Flores, Antonio) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1077-88

THE CITY TOW (ALVERS, EDWARD A.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Alvers, Edward A.) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1078-88

THE CITY TOW (JONES, ASTIER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City tow (Jones, Astier) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1079-88

DELSIE INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Delsie Inc. in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 26, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1080-88

THE CITY TOW (TRIANAPHYLLA, CONSTANTIN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Triantaphylla, Constantin) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1081-88

THE CITY TOW (LYNAR, EDWARD E.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City tow (Lynar, Edward E.) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1082-88

THE CITY TOW (KATZ, MICHAEL)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Katz, Michael) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1083-88

THE CITY TOW (GREAVES, RALPH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Greaves, Ralph) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1084-88

THE CITY TOW (CUTINO, RUDOLPH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Cutino, Rudolph) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1085-88

THE CITY TOW (CASTRO, CARLOS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Castro, Carlos) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1086-88

THE CITY TOW (SMITH, CARINA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Smith, Carina) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 1, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1087-88

THE CITY TOW (VELASCO, CARMEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Velasco, Carmen) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1088-88

THE CITY TOW (SASAKI, MASAKI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Sasaki, Masaki) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1089-88

THE CITY TOW (PARR, STEPHEN J.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Parr, Stephen J.) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1090-88

THE CITY TOW (MITCHELL, EMERSON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Mitchell, Emerson) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1091-88

THE CITY TOW (MESSINGER, DEBRA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Messinger, Debra) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1092-88

THE CITY TOW (LARSON, ROBERT MORRIS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Larson, Robert Morris) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1093-88

THE CITY TOW (CAMARA, JAVIER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Camara, Javier) in the sum of \$145.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1094-88

THE CITY TOW (JACQUELINE TRIPLETT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jacqueline Triplett) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1095-88

THE CITY TOW (ANDRE L. PRICE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Andre L. Price) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1096-88

THE CITY TOW (MAURICE PLADSEN)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Maurice Pladsen) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1097-88

THOMAS HAMILTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas Hamilton in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1098-88

THE CITY TOW (JORGE C. LACAYO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jorge C. Lacayo) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1099-88

THE CITY TOW (JILL MCGILLER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jill McGiller) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1100-88

THE CITY TOW (DIANA H. LINEBERRY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Diana H. Lineberry) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1101-88

RAYMOND LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Lee in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1102-88

LISA CURIEL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lisa Curiel in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 17, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1103-88

L. STANLEY HUBBARD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of L. Stanley Hubbard in the sum of \$115.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1104-88

GEORGE GILBERT, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George Gilbert, Jr. in the sum of \$115.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 6, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1105-88

HIDESHIGE OMORI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hideshige Omori in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1106-88

MARTA E. HERNANDEZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marta E. Hernandez in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1107-88

ERIC CRAVEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eric Craven in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 23, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1108-88

DAVID BROWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Brown in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1109-88

THE CITY TOW (JEANNE Y. VICER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jeanne Y. Vicer) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 25, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1110-88

THE CITY TOW (DAREL A. BUTLER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Darel A. Butler) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 26, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1111-88

THE CITY TOW (PEGGY HART McNEE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Peggy Hart McNee) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 30, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1112-88

THE CITY TOW (MERRY A. HOLLAND)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Merry A. Holland) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1113-88

THE CITY TOW (JACKSON, FLORENCE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jackson, Florence) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 17, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1114-88

RUTH MARTENSEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruth Martensen in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 8, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1115-88

THE CITY TOW (FIELDS, KIM)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Fields, Kim) in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 28, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1116-88

THE CITY TOW (BROWN, STANLEY JAMES)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Brown, Stanley James) in the sum of \$90.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1117-88

THE CITY TOW (REPPEN, KYRA aka RYRA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Reppen, Kyra aka Ryra) in the sum of \$90.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 18, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1118-88

JORDAN PEASE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jordan Pease in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 19, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1119-88

LEANNA ROCHELLE HUDSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Leanna Rochelle Hudson in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1120-88

ROBERT LINTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Linton in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1121-88

SAI W. CHIN & FRANCE NYAN CHIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sai W. Chin & France Nyan Chin in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1122-88

MICHAEL WRIGHT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Wright in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1123-88

FRANK MITCHELL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frank Mitchell in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 10, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1124-88

THE CITY TOW (KIM, CHAE MOON)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Kim, Chae Moon) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1125-88

THE CITY TOW (GINN, ARNOLD)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Ginn, Arnold) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1126-88

THE CITY TOW (LEE, ROZANNE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Lee, Rozanne) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1127-88

THE CITY TOW (HERD, DEBORAH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Herd, Deborah) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1128-88

THE CITY TOW (HARTMAN, ROBERTA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Hartman, Roberta) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 30, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1129-88

DARREN FULLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darren Fuller in the sum of \$65.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 3, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

POLICE COMMISSION REPORT

Commissioner Giraudo announced that the Police Commission met in Executive Session this afternoon in an Attorney Client Conference and no vote was taken.

(a) PUBLIC COMMENTS

No public comments.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he had one and that item is one that concerns everyone and is an update of the Department's Budget. He said the last time he discussed it, the Department was 138 officers short and would not be receiving any new Academy Classes in this upcoming budget and will be closed to 200 vacancies by the time the Department closes out the current operating budget. He said he also had some grave concerns in terms of the latest issue in the event that Proposition K does not pass. He said if it does not pass the Department will be mandated to lose 160 actual current on duty police officers. He said not only would this seriously impact the Department but it would also call for demoting 30 sergeants back to police officer positions. He said there may be another Proposition that may impact on this and it is Proposition 71, a state Proposition which also raises the Gann level slightly for this city as well as any other city across the state. He said to give the Commission a brief bit of information as to what this means; the Commission knows that there is a salary freeze coming on as a result of Proposition B, but K is the key one. Three newspapers, he said, are already on record opposing it. He said 60% of the 160 officers who would be laid off would be protected class and 42 of them are women. He said 30 sergeants would be

demoted to police officers ranks and 7 would be protected class and three of those would be women. He said there are also 7 temporary appointments to lieutenant which the Department just made approximately one month ago and with all of the critical cuts and demotions those temporary positions would have to be moved back to sergeant and 4 are protected class and 2, for the very first time, are women in the command ranks of the San Francisco Police Department. He said his priority would be to obviously maintain adequate staffing levels at all 9 district stations and to continue to aggressively pursue the narcotic problems that the Department has in terms of the priorities. He said that would mean that there would be cutbacks in all other areas of the Police Department and in order to maintain adequate staffing levels in the uniform forces and the Narcotic he would have each of the Deputy Chiefs and/or their representatives here to discuss what this impact would mean if the Department were to have to undertake what he previously stated. He said one of the variables he would like to emphasize is the morale factor and the esprit de corp and the feeling of somewhat devastation in terms of Police Officers looking at more work with salaries frozen, layoffs, as well as demotions. He said it is a very difficult time to be an administrator in the San Francisco Police Department to look at what could happen if Proposition K does not pass. He then had Deputy Chief Willis Casey, Deputy Chief John Jordan, Deputy Chief Frank Reed, Captain Tom Petrini, Captain Tom Murphy and Commander Michael Lennon to each give an outline of just how their units would be effected. A sum total of what was said was that almost the entire midnight watch at the Potrero Station will be laid off, Municipal Railway patrols will go, leaving officers in the district stations to deal with crime on the buses, the Mounted Unit will be completely eliminated, Narcotics investigations, the number of officers available for street busts will critically diminish, the court mandated program better known as the Federal Consent Decree to hire women and minorities will be almost eliminated and thus violating the contract.

Commissioner Giraudo said that the most troubling aspect of it all to him is that the general public is not aware as to what these cuts mean. He said the newspapers have said that x number of city employees are going to be laid off, but as the definition and description as to the meaning is heard as related this evening, those cuts, impact every facet and faze of San Francisco life. He said to read the editorials and to talk to the business community, if you will, most of whom don't live in San Francisco, and who have been pushing the anti-Proposition K are not aware of the kinds of services that will be cut back or what the impact is going to be on them or their businesses and of course on the people who do live and work here. He said he did not know how it could be made public in the dramatic fashion that it should be between now and election day but it is clear that Proposition K is a temporary fix to what appears to be a rather serious fiscal crisis. He said there is no sunset clause in that Proposition and he said he felt that is the main reason they are seeing the opposition that they are. He said this means that

there was not a time limit placed upon it as to how far the Mayor or the Board could go with the expansion of the tax base for the increase of taxes. He said the impact on the City as a whole after the fact that the City no longer has a police department or no longer has a full force police department and one that is not going to be as effective as it has been could have a devastating effect across the board, on tourism, particularly, an industry that employs more than 75,000 people in the city. He said even after all of this, it is his understanding, that this department is impacted less in terms of the percentages of cuts by virtue of some recognition, that this is a priority department in terms of the overall well being of the city. But, he said, the dramatic impact of what will happen as explained here tonight has to be known.

Commissioner Sanchez said the report as stated was overwhelming and its unbelievable but he would suggest that perhaps the Commission should calendar it for next week for public discussion as, he said, it is noted that the Auditor/Monitor of the Consent Decree, Professor Nathaniel Trives, is here and he would like to hear his comments next week along with others.

Professor Trives then came forth and said that he has listened tonight and is probably as taken aback as anyone in the room. He said he would suggest that the Police Commission pass a resolution this evening authorizing the report to be put in print and published as soon as possible by AP and UP and Garnett, USA Today, and perhaps one of the major TV shows would pick it up as this is devastating information. He said speaking as a representative of the Federal Court in this community it seems that all the work the Administration has done for the past nine years will be out the window. He said, however, if the story is gotten out as he suggest then, people will find out about it a lot faster.

Commissioner Giraudo said he would have no problems with that and would be most anxious to see if it could be done.

Mr. Bob Barry of the San Francisco Police Officers Association (SFPOA), said he also felt the report was absolutely devastating. He said they (the SFPOA) wanted to let the Administration know what the SFPOA are doing but they are fighting an uphill battle. He said they have two informational meetings scheduled for next Tuesday primarily focusing on the nightwatches to get all of the people who are going to be adversely affected into the officer to tell them exactly what the score is and what the budget says and what the SFPOA can do as an organization and what they can do as individuals to try and help pass Proposition K. He said if the Commission, the Administration of the Department and the POA along with the Officers for Justice (OFJ) met collectively with the editorial boards of the Newspaper City Desk Editors in their Editorial Board Rooms and bring out exactly what has been brought out here in a very concise way, it might make a difference.

Sergeant Joe Williams, President of the OFJ is prepared to do everything in its power to see that Proposition K passes. Commissioner Giraudo said that he as a Commissioner would be willing to meet as Mr. Barry suggests to which Mr. Barry said he would therefore set up the meeting.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of the OCC, advised the Commission that it has before it tonight OCC Order A-2 which is the guideline for access to police personnel records for OCC. He said what the OCC did was to take a policy that was passed by the Commission back in 1987 and slightly change the format while leaving the wording exactly the same and then place it in the now OCC Order Format. He said he would ask that the Commission review it and then calendar it for adoption by the Commission at next week's meeting. He said the second item he had is a letter where the OCC is requesting a draft resolution for the Commission to adopt. He said he was also asking that the Commission take a look at this one also, for one week, and come back and if agreeable consider adopting the proposed resolution. He said what it concerns is this and that is after seven (7) months the OCC has encountered some problems with respect to cooperation in certain areas of the Police Department. He said this is by no means intended to cast a reflection on the entire Police Department as numerous officers strengthening Department General Order #L-1 so that people will cooperate fully and provide full assistance to the OCC.

Commissioner Giraudo said the Commission will read the material and comeback next week ready to take whatever action it deems necessary at that time.

RESOLUTION NO. 1048-88

RECOMMENDATION OF THE CHIEF FOR REVOCATION OF TAXICAB PERMIT NO. T-0319 HELD BY ABRAHAM GOLDEN

WHEREAS, the hearing on the recommendation of the Chief of Police that the Police Commission revoke Taxicab Permit No. T-0319 held by Abraham Golden was called, it having been set for this date; and

WHEREAS, the Taxi Detail became aware of the death of Abraham Golden and his death is substantiated by a death certificate; and

WHEREAS, Motor Vehicle for Hire Permits return to the City and County by law upon the death of the permit holder; therefore be it

RESOLVED, that it is the findings and decision of the Commission, based on the evidence presented, to revoke Permit No. T-0319 held by Abraham Golden.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1049-88

RECOMMENDATION OF THE CHIEF FOR APPROVAL OF PROPOSED FEE FOR METALLIC TAXICAB MEDALLION

WHEREAS, the Police Commission is the authority under Section 1135.2.1 of the Police Code for the setting of the annual fee for metallic taxicab medallions; and

WHEREAS, the Police Department has submitted a metallic taxicab medallion cost analysis indicating the cost of production and issuance of the metallic taxicab medallions; therefore be it

RESOLVED, that the Police Commission hereby establishes a fee of \$8.00 for the period July 1, 1988 to June 30, 1989 for each metallic taxicab medallion issued by the San Francisco Police Department to every taxicab permit holder.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1050-88

SETTING OF DATE FOR HEARING OF POLICE INSPECTOR
RICHARD D. ESTRADA, INVESTIGATIONS BUREAU, GENERAL
WORK DETAIL

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Inspector Richard D. Estrada, Investigations Bureau, General Work Detail, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, that the date for the hearing of disciplinary charges filed against Inspector Richard D. Estrada be set for August 31, 1988; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Inspector Richard D. Estrada, Investigations Bureau, General Work Detail, is set for Wednesday, August 31, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

SETTING OF DATE FOR HEARING ON DISCIPLINARY CHARGES
AND NOTICE TO STRIKE CERTAIN ALLEGATIONS IN
DISCIPLINARY CHARGES FILED AGAINST POLICE OFFICER
TONY B. HICKS, POTRERO STATION

Mr. John Prentice, Attorney for Officer Hicks, said he did not know if the Commission could or could not recall but when the Specification was filed he and his firm had some problems with the format and filed a motion to strike a number of allegations in the Specification. He said basically as they see it on page 2 of the Specification from paragraph 3 through paragraph 8 and 10, the Department has cited six (6) prior incidents of misconduct for which Officer Hicks was punished. He said they believe, and their motion so argues, that by setting forth the six (6) prior instances of misconduct that he is being deprived of due process and that those prior acts of misconduct for which he was punished are being used in a way that will adversely affect his ability to respond to the Specification. He said he believes the Police Commission requested the City Attorney to prepare an opinion with regard to this issue and the opinion has been received and he has reviewed it and it is his understanding that Mr. Gash has also reviewed it and he feels that although the City Attorney has not specifically stated that those prior acts of misconduct should be stricken from this Specification he felt the opinion was clear that he has been punished for those violations already and they should not be used in a way that should

adversely affect his ability to defend himself for this later alleged act of misconduct. He said absence of that he would ask the Commission to dismiss this Specification because it is faulty on its face.

Mr. Michael Gash, Department Attorney, said he would object because the matter had been gone through with Mr. Disselhorst, then attorney for Officer Hicks, and that was the reason for requesting the City Attorney's Opinion. He said the purpose then was to determine whether or not that language could be included in the charges for purposes of background only to show the Commission why this matter was brought before it. He said his reading of the City Attorney's Opinion was that it was okay for that purpose to be left in the charges. He said he did not read anything in the City Attorney's Opinion which said the information had to be stricken from the charges. He said what he felt everyone was basically here for today is for the Commission to make the decision as to whether the information should be stricken from the charges based on the opinion which was provided to the Commission by the City Attorney.

Commissioner Giraudo said he tends to agree with Mr. Prentice upon his reading of the City Attorney's Opinion and the past practice of the Commission. He said this is the first time, to his recollection, that he has seen allegations that refer to prior conduct where an officer has been reprimanded or punished in some way. He said it has been the practice of the Commission to sit and hear matters and not know prior history of the officer and in fact some times it has been a problem because the Commission has come out and said not guilty and found out that this is an officer that has been before the Commission sixty (60) times before and the Commission is criticized for inconsistency and indecision and that sort of thing based upon progressive discipline. But, he said, the Commission has always gotten the Performance Improvement Program (PIP) file when they have gone in for deliberation in the penalty phase which allows them to take and look at the disciplinary portion of the hearing which says alright we find you guilty of whatever you are charged with today and now we look and see on a progressive disciplinary basis, ah! you have been before us ten times, you obviously don't think this Commission means what it says and so therefore, we will deal with it in this way. He said he read the City Attorney's Opinion to mean that prior disciplinary actions are not to be before the Commission until the penalty phase. Commissioner Nelder said he also read it this way. After further discussion, Commissioner Nelder said he would move that the Commission strike paragraphs 3 through 8 and paragraph 10 of the Specification; Commissioner Sanchez seconded and it was unanimously approved.

The date of August 24th was then set for hearing the Hicks matter.

RESOLUTION NO. 1051-88

SETTING OF DATE AND NOTICE TO STRIKE CERTAIN
ALLEGATIONS IN DISCIPLINARY CHARGES FILED AGAINST
POLICE OFFICER TONY B. HICKS, POTRERO STATION

WHEREAS, the date for the setting of date for hearing and notice to strike certain allegations in disciplinary charges filed against Police Officer Tony B. Hicks, Potrero Station, was called it having been scheduled for this date; and

WHEREAS, the requested City Attorney's opinion regarding progressive discipline in this case was received and considered by the Police Commission on this date, and

WHEREAS, based on the request of Mr. John Prentice, attorney for Officer Hicks, and in light of the City Attorney's opinion, the Commission ordered that allegations in paragraphs (3) through (8) and (10) in Specification No. 1 be deleted; therefore be it

RESOLVED, that it is the decision of the Commission to strike paragraphs (3) through (8) and (10) in Specification No. 1 of the charges filed against Police Officer Tony B. Hicks and to hear the remaining disciplinary allegations filed against Police Officer Tony B. Hicks on Wednesday, August 24, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1047-88

NOTIFICATION AND FILING OF CHARGES AGAINST POLICE
OFFICER DARRYL S. PERKINS, TARAVAL STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Darryl S. Perkins, Taraval Station, as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

by Frank M. Jordan, Chief of Police, San Francisco Police Department; therefore be it

RESOLVED, that the date for the setting of hearing of the disciplinary charges filed against Police Officer Darryl S. Perkins, Taraval Station, is scheduled for Wednesday, June 1, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

HEARING OF POLICE OFFICER GLADYS M. GRAY, MISSION
STATION

The hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, was called it having been set for this date. Police Officer Gladys M. Gray was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Possessing or using controlled substances as defined under the California Uniform Controlled Substance Act (violation of Section IV.C of General Order D-4 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Gladys M. Gray appeared in person and was represented by Sylvia Courtney, Attorney at Law.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Ms. Sylvia Courtney for the Defense.

The following witnesses appeared for the Prosecution, were sworn and testified:

Sergeant Jerry Aguirre, Oakland Police Department
Mr. Brian Kearney, District Attorney's Office,
850 Bryant Street, San Francisco, CA
Sergeant/Inspector George Walsh, Fraud Detail
Lieutenant Mary Stasko, Company B

The following exhibit was entered into evidence by the Prosecution:

Exhibit #1 Copy of 4 page letter 87-04261 from
a daughter to mother

The hearing was then continued to Wednesday, June 1, 1988 at 4:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned at 9:32 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

Minutes
JUNE 1, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 1, 1988 at 1600 hours in a Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

DOCUMENTS

AUG 30 1988

SAN FRANCISCO
PUBLIC LIBRARY

HEARING OF POLICE OFFICER GLADYS M. GRAY, MISSION
STATION (CONTINUED FROM MEETING OF MAY 25, 1988)

The hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, was called it having been continued from the meeting of May 25, 1988.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Gladys M. Gray appeared in person and was represented by Sylvia Courtney, Attorney at Law.

The following witnesses appeared for the Prosecution, were sworn and testified:

Sergeant James Baca, Management Control Division
Dr. Randall Baselt, Toxicologist,
Chemical Toxicology Institute

The following exhibits were entered into evidence by the Prosecution:

- Exhibit #2 Chemical Toxicology Institute
 Laboratory Report of 9/14/87, CTI
 Ref. No. 87-1438 by Dr. Randall
 Baselt
- Exhibit #3 Chemical Toxicology Institute
 Laboratory Report of 8/3/87, CTI
 Ref. No. 87-1227 by Dr. Randall
 Baselt
- Exhibit #4 Chemical Toxicology Institute
 Specimen Receipt Form, 9/3/87, CTI
 Ref. No. 87-1438, received by Sgt.
 James Baca
- Exhibit #5 2 page Attendance Record of Officer
 Gladys Gray for 1986-1987
- Exhibit #6 2 page Document Memos given to Sgt.
 Baca dated 8/20/87 and 8/26/87 to
 continue to monitor Officer Gray

The hearing was then continued to Wednesday, June 8, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Recess taken during the hearing of Officer Gladys M. Gray:

5:45 p.m. to 7:40 p.m.

JUNE 1, 1988

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 1, 1988 at 1730 hours in Closed Session.

Commissioner Giraudo presiding.

1. Attorney-Client Conference.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 24, 1988

Approval of Minutes of Meeting of February 24, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1136-88

DAVIN FULLER vs. CITY AND COUNTY OF SAN FRANCISCO,
et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Davin Fuller in the sum of \$220,000 entitled "Davin Fuller vs. City and County of San Francisco, et al" in United States District Court No. C85-7962 TEH as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 28, 1985

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1137-88

THE CITY TOW (HYUK PARK)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Hyuk Park) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1138-88

THE CITY TOW (JESSE VALENCIA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jesse Valencia) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1139-88

THE CITY TOW (ALBERT PODESTA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Albert Podesta) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1140-88

GARY L. HERWICK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary L. Herwick in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1141-88

THE CITY TOW (TIMOTHY DENNIS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Timothy Dennis) in the sum of \$115.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1142-88

THE CITY TOW (RICKIE D. KNOCH)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Rickie D. Knoch) in the sum of \$115.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 20, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1143-88

THE CITY TOW (ANTHONY WANIKI)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Anthony Waniki) in the sum of \$115.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 1, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1144-88

DANIEL REICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Reich in the sum of \$100.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 8, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1145-88

RACHAEL RIFENBERG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rachael Rifenberg in the sum of \$90.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 15, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1146-88

RONALD ALFRED LEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Alfred Lee in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1147-88

GORDON HUMPHREYS SMITH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gordon Humphreys Smith in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 18, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1148-88

ANDREW R. TUCKER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew R. Tucker in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 28, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1149-88

MARY C. FISHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary C. Fisher in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1150-88

BILL KRIST

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Bill Krist in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1151-88

THE CITY TOW (JESUS DIAZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jesus Diaz) in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1152-88

ERROL BIRD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Errol Bird in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1153-88

ANDREW PORTERFIELD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew Porterfield in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1987

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1154-88

STEVE MOLCSAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steve Molcsan in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: January 3, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1155-88

RICHARD E. DOLBEC, M.D

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Richard E. Dolbec in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1156-88

LARRY J. RAMOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Larry J. Ramos in the sum of \$58.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 24, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1157-88

STEVE HAMM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Steve Hamm in the sum of \$23.38 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 31, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1158-88

CHARLES ANTHONY FRACCHIA, JR

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Charles Anthony Fracchia, Jr. in the sum of \$10.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 21, 1988

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

POLICE COMMISSION REPORT

Commissioner Giraudo said the Police Commission met in Executive Session in an Attorney Client Conference and no vote was taken.

(a) PUBLIC COMMENTS

No public comments.

DISCUSSION ON EFFECTS TO THE POLICE DEPARTMENT IF PROPOSITION "K" IS NOT PASSED ON THE JUNE 7, 1988 BALLOT

Chief Frank Jordan advised the Commission that this was the open hearing the Commission requested to be placed on the calendar of discussion of the effects of the San Francisco Police Department Budget if Proposition K did not pass. He said some what will be said may be a duplication of what the Commission heard last week but for the benefit of the public who is here tonight he would give the Commission some of the Department's concerns about the present state of the budget particularly if Proposition K does not pass. He said the first thing is that the Department is currently 130 officers short because of not being able to hire officers for an academy class last year or this year. He said through retirements, disabilities or terminations or a different career path another 60 will be lost, and if Proposition K does not pass 160 officers will have to be laid off. He said there would also be demotions of 30 sergeants and 7 lieutenants. He said because of this the Department would literally lose 4 years of achievement and compliance with the Federal Consent Decree. He then had Deputy Chief Willis Casey give the Commission a stage by stage basis in what will have to be done to pare down to the limits of what will be necessary in the worst scenario case if Proposition K does not pass.

After listening to Deputy Chief Casey, Commissioner Giraudo said he felt the report was most thorough and that the comments the Commission made last week speak for themselves and he hoped that the people of San Francisco will see fit to deal with the budget and Proposition K according to what the Commission views as a very, very serious situation for the San Francisco Police Department. He then asked if there was anyone present who wished to speak to this item or had any questions on this item. Receiving no response, the next item was called.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Jordan said he had no additional information.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer said other than the next two items he had there is nothing more to add.

PUBLIC HEARING ON OFFICE OF THE CITIZEN COMPLAINTS ORDER A-2, "GUIDELINE FOR ACCESS TO POLICE PERSONNEL RECORDS MAINTAINED BY THE OFFICE OF CITIZEN COMPLAINTS"

Mr. Michael Langer said there is one change that needs to be made and it is in line three (3) on the first page, where it says Indexed as, the words, "Access to the OCC files", was left out. Commissioner Nelder said he would make a motion to insert that correction, Commissioner Sanchez seconded and it was unanimously approved. Commissioner Nelder said he felt this was exactly what the Commission had hammered out in the past and with that minor change he would move approval. Commissioner Sanchez said he would second and it was unanimously approved for adoption.

RESOLUTION NO. 1130-88

OFFICE OF CITIZEN COMPLAINTS ORDER A-2, "GUIDELINES FOR ACCESS TO POLICE PERSONNEL RECORDS MAINTAINED BY THE OFFICE OF CITIZEN COMPLAINTS"

RESOLVED, that the Police Commission hereby approves Office of Citizen Complaints Order A-2, "Guidelines for Access to Police Personnel Records Maintained by the Office of Citizen Complaints".

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

REQUEST OF THE OCC DIRECTOR FOR ADOPTION BY THE COMMISSION OF A POLICY RESOLUTION WHICH WOULD INSURE FULL COOPERATION AND ASSISTANCE FROM ALL DEPARTMENTS, OFFICERS AND EMPLOYEES OF THE CITY AND COUNTY

Mr. Michael Langer said that last week he briefly outlined some of the problems that the OCC had encountered. He said he would just like to once again reiterate the fact that the Chief of Police and the majority of police officers in the San Francisco Police Department have been really cooperative in helping the OCC achieve its objectives. He said this request was brought about as a result of several problems during his tenure as Director of OCC. He said Mr. Dan Silva would like to comment on those and then he (Langer) would like to request that one change be made in the resolution because of additional information which they have just recently received.

Mr. Dan Silva said he would echo the phrase of Mr. Langer in regards to the cooperation received going back as far as Chief of Police Cornelius Murphy, Chief Frank Jordan, Deputy Chief Casey and Lieutenant Pecinovsky. He said, however, they have attempted to work through the Chief's Office regarding problems the OCC has encountered and tried to resolve those problems. He said it is clear to them that the OCC needs the public support of the Police Commission to bring these problems to a

halt. He said some of the problems that they have brought forth to the Chief's Office during the last six (6) years has included: OCC investigators prevented from responding to an officer involved in shooting scene, prevented from viewing evidence held in property room, officers have lied to OCC investigators during interviews, failed to show for scheduled interviews without proper notification to the OCC, have failed to cooperate with the OCC Hearing process and in one case an officer walked out of a hearing while in progress. After relating many more incidents he said he would urge the Commission to adopt the proposed resolution.

Mr. Michael Langer then said that the second item in the resolution dealing with the members response may be inappropriate and that it might in fact violate the Peace Officers Bill of Rights. Mr. Langer said he consulted with Deputy City Attorney, Mr. Buck Delventhal who said he did not believe that it does but does think that the OCC and the Legal Division should sit down and work out some procedural issues in respect to revision of the form. He said he also felt that they should meet and confer, although the policy is not changing working conditions on the practice of how it is being administered is changing. He said he was told to strike paragraph 2 completely and he will meet with Lieutenant Pecinovsky, Mr. Silva and Mr. Barry of the SFPOA to try to work out a resolution for that particular issue as a separate item. He said he did believe however, that the remainder of the resolution is very important and deserve some immediate attention.

Commissioner Giraudo said he had concerns with no. 2 for somewhat similar reasons but if there will be re-wording he wouldn't bother to point it out. He then went on to point out his disagreements with #3 regarding the review process of all violations. Commissioner Nelder said he also had trouble with it. Commissioner Giraudo asked if any one else had any comments on this issue and/or other facets of the proposed policy.

Mr. John Crew, Attorney for the American Civil Liberties Union (ACLU), came forth and stated that the language in #1 is consistent with other policies adopted by the Commission and now in effect. He said this language is just to make it clear to the members that the Commission views this sort of misconduct to be serious enough to consider termination. He then put forth some language he believed would address Commissioner Giraudo's concerns. Afterwards, he said one of the major suggestions that the Mayor's Advisory Committee had come up with was specifically this sort of resolution reminding the members of the Department that they must cooperate. He said from the ACLU's perspective this is the single most important recommendation of their report. He then named people or organizations who had sent letters to the Commission urging them to adopt this policy and stated that they strongly viewed this re-assertion of the OCC authority to be essential to the success of the agency regardless of the specific wording that is now being discussed.

Other speakers urging the adoption of the policy were Mr. Peter Mezey, Bar Association of San Francisco, Mr. John Wahl, representing the Stonewall Democratic Club, Michele Jacque, representing the San Francisco Branch of NAACP.

Mr. Robert Barry of the SFPOA, said that what Mr. Crew is asking for here is a policy statement to be made by the Commission or Chief that is clearly within the purview of Meet and Confer in the realm of disciplinary action for policy that the Chief must institute in the Department. He said they have a right to meet and confer on that and Mr. Crew has to acknowledge that fact. He said he would ask that before the Commission gets involved with dotting eyes and crossing tees and striking out phrases and adding language that Mr. Langer go back to OCC with his staff and prepare a resolution that is consistent with what he felt the Commission was telling him or suggesting that he do rather than amending it here in a public forum.

After much further discussion on the issue Commissioner Giraudo said he would like for the Commission to hold this over for a week so that sufficient language can be put in place that is clear. He said the Commission is not opposed to this Resolution and the sensitivity that Commissioner Owens earlier spoke to was pursuant to Mr. Wahl's comments made earlier as to what this Commission has done or has not done of which he (Comm. Giraudo) takes exception as this Commission beyond any before and this Administration has done more to strengthen the OCC in conjunction with the Mayor's Advisory Committee. He said he supports what Mr. Barry says this evening in that there must be clean language for this Resolution and if it does infringe on working conditions then the SFPOA does have a right to Meet and Confer.

Commissioner Sanchez then made a motion for a one week continuance, it was seconded by Commissioner Nelder and unanimously approved.

RECOMMENDATION OF THE CHIEF OF POLICE FOR REVOCATION
OF TAXICAB PERMIT #447 HELD BY MR. ALBERT VELLA

Continued for one week.

RESOLUTION NO. 1131-88

RECOMMENDATION OF THE CHIEF THAT THE POLICE
COMMISSION ADOPT A RESOLUTION RECOMMENDING ADOPTION
OF LEGISLATION AMENDING POLICE CODE SECTION 2.26 TO
PROVIDE FOR AN INCREASE IN POLICE PERMIT FEES

WHEREAS, the Police Department is the authority under Section 2.26 of the Municipal Police Code for the collection of application fees for regulated activities found within Section 2.26 of the Municipal Police Code; and

WHEREAS, the expenses incurred by the San Francisco Police Department and other city agencies in issuing, regulating and inspecting police permits have increased since the 1986 overall fee amendment to the permit fees; and

WHEREAS, the Permit Division has proposed and submitted a schedule of fee revisions; and

WHEREAS, the Controller's Office has approved the schedule of permit fees submitted by the Permit Division; therefore, be it

RESOLVED, that the attached proposed ordinance amending Section 2.26 of the Municipal Police Code establishing revised fees is hereby transmitted to the Board of Supervisors for adoption.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1132-88

SETTING OF DATE FOR HEARING OF POLICE OFFICER DARRYL S. PERKINS, TARAVAL STATION

WHEREAS, the date for the setting of the hearing of the disciplinary charges filed against Police Officer Darryl S. Perkins, Taraval Station, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, that the date for the hearing of disciplinary charges filed against Police Officer Darryl S. Perkins be set for June 15, 1988; therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Darryl S. Perkins, Taraval Station, is set for Wednesday, June 15, 1988 at 4:00 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1133-88

REQUEST OF SERGEANT GILE PURSLEY, MISSION STATION, FOR HEARING ON APPEAL OF CHIEF'S SUSPENSION

WHEREAS, the request of Sergeant Gile Pursley for a hearing on the appeal of the Chief's suspension was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, that the date for the hearing on the appeal of Sergeant Gile Pursley be set for June 22, 1988; therefore be it

RESOLVED, that the date for the hearing on the appeal of the Chief's suspension imposed on Sergeant Gile Pursley, Mission Station, is set for Wednesday, June 22, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

RESOLUTION NO. 1135-88

HEARING OF POLICE OFFICER ROY A. PRIEST, TACTICAL DIVISION, DOG UNIT

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Roy A. Priest, Tactical Division, Dog Unit, was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law representing the San Francisco Police Department, with the concurrence of Officer Priest, that the date for the hearing be continued to June 23, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Roy A. Priest, Tactical Division, Dog Unit, is scheduled for Thursday, June 23, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

DECISION IN THE MATTER OF SPECK vs. VETERANS CAB
COMPANY TRANSFER OF ASSETS

Commissioner Giraudo said the Commission has heard all of the testimony that the Commission is going to hear in this matter by virtue of all of the prior and previous hearings that it has had. He said what they were waiting for was a resolution of what had been presented to the Commission by the Controller's Office as there had been some dispute between the Controller's Office and the City Attorney's Office and that has now been resolved with respect to the Audit of the Controller's Office and the opinion of the City Attorney. He said it is the intention of the Commission to not hear any further testimony this evening but to entertain motions from the Commission. He then acknowledged Mr. Lawrence Ball's request to speak. Mr. Ball, Attorney for PAPA, said that he would ask the Commission to reject the recommendation of the City Attorney's Office. He said his basis for asking the Commission to reject it is based on three opinions, one of which is by the City Attorney's Office and one of which is by the Police Department's Legal Office concluding the opposite of what the City Attorney's Office now concludes. He said those memos for the record are contained in the memorandum from the City Attorney dated November 2, 1981, page 6, the memorandum from the Police Department's Permit Section dated November 6, 1986 and a short memo of his own dated January 1, 1980 on behalf of petitioners. He said those memos in turn cite legal cases holding directly opposite of what the City Attorney holds today. He said the City Attorney based his decision today on Generally Accepted Accounting Principles with no citation as to what that is since there is no reference to the author or the book. He said the Court of Appeals Decisions are generally accepted as taking precedent over lay persons opinions and the Court of Appeals in various decisions have ruled opposite saying that much dividends once declared can no longer be considered assets of the corporation. He said he would cite the cases for the record and he would ask the Commission that before it makes its decision to accept this recommendation from the City Attorney's Office look at the memos, realize that the law in this matter goes directly contrary to what the City Attorney's Office is now recommending.

Commissioner Giraudo said that each Commissioner here has reviewed all of the memos that have been submitted to this Commission and at prior hearings and at prior times when it has requested opinions from the City Attorney and they have been reviewed

again in light of the new opinion that the City Attorney has rendered to this Commission so the Commission accepts Mr. Ball's request but it is noted that the Commissioners have all made that review. He said Mr. Ball is now on record he has made his objections and he has protected himself in terms of any place he may want to go from here.

Mr. Ball said he was more interested in letting the Commission know that there is a significant legal problem here.

Commissioner Giraudo said he appreciated that and thanked him.

Commissioner Sanchez said he, as a Commission, has totally reviewed the recommendation of the City Attorney pertaining to the matter, and before the Commission renders any decision he would make a motion that the Commission incorporates into the record all evidence and testimony submitted at all prior hearings, including San Francisco City Attorney advice dated April 22, 1988, submitted to the Commission on the Veterans Taxicab Corporation January 1, 1980 sale of assets transaction into the record of this hearing.

Thereafter, the following resolution was adopted:

RESOLUTION NO. 1134-88

FINDINGS AND DECISION IN THE MATTER OF SPECK vs.
VETERANS CAB COMPANY TRANSFER OF ASSETS

WHEREAS, the San Francisco Police Commission received evidence and heard testimony from all interested parties on the issue of whether Veterans Taxicab Corporation's sale of assets to Emory Speck on January 1, 1980 was in excess of 10% of Veterans' assets;

WHEREAS, the San Francisco Police Commission received advice from the San Francisco City Attorney's Office dated April 22, 1988 on this issue;

WHEREAS, the San Francisco Police Commission must review and either approve Veterans' sale of assets as being in conformity with the Ordinance Providing for the Regulation of Taxicabs and Other Motor Vehicles for Hire ("Appendix F") or revoke the permits;

WHEREAS, based upon the entire record of the evidence and testimony presented in the hearings on this matter, this Commission finds that:

1. Veterans Taxicab Corporation ("Veterans") is a corporate permittee holding 25 taxicab permits in its corporate name. All of Veterans' permits are "grandfathered" permits pursuant to Section 4(b) of the Ordinance Providing for the Regulation of Taxicab and Other Motor Vehicles for Hire ("Appendix F").
2. The grandfather provisions of Appendix F allow Veterans to retain their taxicab permits until there is a sale or transfer of 10% of the corporation's assets or stocks. (Appendix F, Section 5(a).

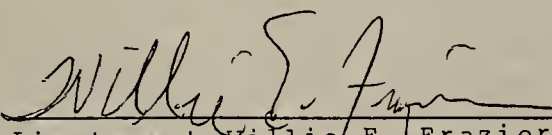
3. Veterans and Emory Speck ("Speck") entered into an Operating and Management Agreement ("Agreement") approved by the shareholders of Veterans on December 27, 1979. The Agreement became effective January 1, 1980.
4. The Agreement provided for the sale of Veterans' furniture, fixtures, mobile radios, and radio spare parts, taxicab meters, automotive spare parts, taxicabs and inventory of gas and oil to Speck.
5. The Commission received evidence and heard testimony from all interested parties on the issue of whether Veterans sale of assets to Speck was in excess of 10% of Veterans' assets. All such evidence and testimony is hereby incorporated by reference as though fully set forth.
6. The Commission received advice from the San Francisco City Attorney dated April 22, 1988. This advice is hereby incorporated by this reference as though fully set forth.
7. As of December 31, 1979, Veterans total assets were \$1,265,451. The value of the assets that Veterans sold to Speck as of January 1, 1980 was \$106,031.88. Dividing Veterans' total assets by the total assets transferred to Speck yields a percentage of assets transferred of 8.4%.
8. The percentage of assets transferred by Veterans to Speck on January 1, 1980 did not exceed 10% of Veterans' assets.

THEREFORE, BE IT RESOLVED that Veterans transaction of January 1, 1980 was in conformity with the requirements of Appendix F.

AYES: Commissioners Giraudo, Nelder, Owens, Sanchez

At this time the Gladys Gray hearing resumed.

Thereafter, the Commission observed a moment of silence for Sergeant John Toomey and Police Officer Walter Kliegel and adjourned at 8:20 p.m. in honor of their memory.


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

Minutes
JUNE 8, 1988

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 8, 1988 at 1700 hours in Closed Session.

DOCUMENTS DEPT.

Commissioner Giraudo presiding.

SEP 6 1988

1. Attorney-Client Conference.

SAN FRANCISCO
PUBLIC LIBRARY

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

JUNE 8, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 8, 1988 at 1730 hours in a Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

APPROVAL OF MINUTES OF MEETING OF MARCH 2, 1988

Approval of Minutes of Meeting of March 2, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1164-88

LEVIA MOLINARI, et al vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made in Superior Court No. 840-190 in Levia Molinari, et al vs. City and County of San Francisco, et al in the sum of \$39,336.49 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 27, 1984

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1165-88

DENNIS PRESSON vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Dennis Presson vs. City and County of San Francisco, et al in U.S. District Court No. C-87-0319 RHS in the sum of \$12,500.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 30, 1984

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1166-88

ALEXANDRA TANA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alexandra Tana in the sum of \$315.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1167-88

THE CITY TOW (WITCH, MELODY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Witch, Melody) in the sum of \$300.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 2, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1168-88

TIM HEALEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tim Healey in the sum of \$265.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8 through April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1169-88

GREGG FOURNIER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gregg Fournier in the sum of \$260.00 as a result of loss of money, be, and the same is hereby approved.

Date of Incident: April 21, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1170-88

DAVID ISAACS

RESOLVED, that the recommendation of the City

Attorney for settlement of the claim of David Isaacs in the sum of \$215.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 13, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1171-88

THE CITY TOW (CALEB WRIGHT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Caleb Wright) in the sum of \$210.00 as a result damages sustained, be, and the same is hereby approved.

Date of Incident: April 1, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1172-88

JIMMY LEE WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jimmy Lee Williams in the sum of \$190.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 7, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1173-88

THE CITY TOW (RAYMOND B. MORINO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Raymond B. Morino) in the sum of \$180.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 14, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1174-88

PETER J. CORBOFF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter J. Corboff in the sum of \$175.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 24, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1175-88

MICHEL LIPMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michel Lipman in the sum of \$175.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1176-88

JULIA TOSCANO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Julia Toscano in the sum of \$175.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1177-88

ANN CHO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ann Cho in the sum of \$170.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 8, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1178-88

KENNETH JOHN BODLE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth John Bodle in the sum of \$152.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 29, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1179-88

TERRENCE WESLEY GREEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Terrence Wesley Green in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 22 through
March 24, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1180-88

PANSINI CORPORATION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pansini Corporation in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1181-88

WILLIAM LOIZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Loiz in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1182-88

BERYL F. HOLDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Beryl F. Holden in the sum of \$95.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 28, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1183-88

LUCIE G. MICHAIL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lucie G. Michail in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 4, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1184-88

THOMAS P. McBRIDE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas P. McBride in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1185-88

AVENNE A. McBRIDE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Avenne A. McBride in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1186-88

BETTY-ANN KISSILOVE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Betty-Ann Kissilove in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 30, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1187-88

JUERGEN F. HAVLAT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Juergen F. Havlat in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1188-88

DARREN HANSHAW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darren Hanshaw in the sum of \$80.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1189-88

WAYNE M. LU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Wayne M. Lu in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1190-88

TONY LOUIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tony Louie in the sum of \$70.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 27, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT

Commissioner Giraudo said the Police Commission met in Closed Session this date in an Attorney-Client Conference and no vote was taken.

(a) PUBLIC COMMENTS

Mr. Casimir Wilson, Attorney for Officer Roy Priest said when he appeared before the Commission last week representing his client, he indicated that it was going to be especially set and they had two days, the 23rd and the 30th, and the 30th, he said, was his birthday but as it turns out the 23rd is in the middle of their vacation so if possible he would request the Commission to move it back to the 30th. Mr. Michael Gash, Attorney for the Department said the Department had no objection. Commissioner Nelder said he would make a motion for approval, Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 1163-88

RESETTING OF DATE FOR HEARING OF POLICE OFFICER ROY A. PRIEST, TACTICAL DIVISION, DOG UNIT

WHEREAS, a request was received from Mr. Casimir A. Wilson, Attorney at Law representing Police Officer Roy A. Priest, that the date for the hearing of Officer Priest be reset for June 30, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Roy A. Priest, Tactical Division, Dog Unit, is reset for Thursday, June 30, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he just wanted to update the Commission. He said, as they all know, with Proposition K going down to defeat last night in the elections, the Department now has a serious and dramatic situation facing it as layoffs and demotions will have to be realized. He said he had had a very busy day meeting with the Mayor, the Consent Decree Parties, and Judge Peckham from the Federal Courts. He said it is realized that emergency services are a high priority and if there are any other options that can be taken, he said he believes the Mayor is looking to see what can be done rather than layoff 160 Police Officers and to cut back the Police Department 11.6 million dollars before July 1, and he said he was looking to his own administrative staff to see if there are any other layoffs to reduce them to the absolute minimum. He said in some areas they are looking at, for instance, Proposition D, which allows for early retirement and that might eliminate on a one for one basis less numbers that will have to be laid off. He said they will also be looking at leaves of absences and that is if any officers are interested in taking those leaves for a year or longer that would also help to save positions. He said he will be meeting with City Supervisors or any and all persons before July 1 to see what can be done so that there will not be layoffs.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer said his assistant, Mr. Dan Silva, will distribute to the Commission a copy of the quarterly report for the first quarter of 1988 and he would ask that the Commission read it and he would be very happy to answer any questions they may have about it at next week's meeting.

REQUEST OF THE OCC DIRECTOR FOR ADOPTION BY THE COMMISSION OF A POLICY RESOLUTION WHICH WOULD INSURE FULL COOPERATION AND ASSISTANCE FROM ALL DEPARTMENTS, OFFICERS AND EMPLOYEES OF THE CITY AND COUNTY (Continued from Meeting of June 1, 1988)

Mr. Michael Langer said that last week at the Commission's direction he met with Lieutenant Pecinovsky, Mr. Silva and Mr. Crew on Friday, and re-drafted the resolution. He said he spoke with Mr. Barry of the San Francisco Police Officers Association (SFPOA) about it and it is now clarified and he would ask that the Commission adopt it. Mr. David Clisham, Attorney for the SFPOA, said he would like to make a short comment. He said he had not read the resolution but had no doubt of the accuracy of Mr. Langer's statement about having communicated with Mr. Barry. He said earlier the discrepancy was that the Director of OCC would refer all violations of General Order L-1 to the Police Commission but it is the POA's position that the Police Chief should handle these matters and that as a matter of policy as important as this issue is that the Police Commission should not be bogged down with these kinds of things unless the Police Chief is not some how doing his job.

Mr. John Crew, Attorney for the American Civil Liberties Union (ACLU) said he felt Mr. Clisham was at a disadvantage since he was not able to be here last week. He said the issue Mr. Barry brought up was a concern that somehow the Commission would be having a preview of these cases and would be inappropriately prejudiced. He said that has been clarified and the Commission would only get these cases after the OCC has sustained them.

Commissioner Giraudo said then one of his concerns is if that is the way this resolution reads then it becomes an automatic process. He said does that therefore amend General L-1 to the extent that the Commission is amending the Order as opposed to setting policy.

Mr. Crew said that General Order L-1 sets out the general policy that members shall cooperate fully and provide full assistance and then goes into great detail about procedural issues. He said it does not spell out what the discipline will be or an appropriate disciplinary process. He said last week the concern was brought up with the language that all cases will be presented and Lieutenant Pecinovsky rightfully suggested that in the Charter the cases have to go to the Chief first. He said he suggested the language that if the Chief agreed that these were significant enough and serious enough for the overall process, that that level of importance requires these cases to go to the Commission. He continued by saying that the Chief indicated last week that he agreed. That in every case that he believed members were not cooperating with the OCC, he would, as a matter of routine, take those cases to the Commission. Mr. John Crew said now that is not forfeiting his discretion all that this is doing is announcing to the members the Chief's intention to do that which Mr. Crew understood last week that the Chief agreed to be doing.

Chief Jordan said he had no problem either way but what he also wanted was to make sure that police officers get a clear signal that if there is any as General Order L-1 says, "Any attempt to threaten or intimidate, mislead or harass, potential or actual OCC Complainants, witness or Staff Members," that's serious and he wanted them to know that they would be facing a hearing before the Police Commission, but, he would have no problem with it either way. He said he would evaluate them and send them to the Commission.

Commissioner Giraudo said he would not object to an automatic referral to the Commission of any case or sustained allegation with respect to attempts etc., etc..

Mr. Crew said what is being sought here is compliance and their position is that they don't need more cases before the Police Commission. He said their hope is that the Police Department and the Police Officers who are not cooperating with the OCC will get the message from this training bulletin will understand that it will be treated seriously and the Commission will not have to have any cases before it. He said it is not a change of policy, it is reinforcing and sending a strong unequivocal message to the members of this Department.

Commissioner Nelder said the Commission is asking the OCC to do a job and if they don't have the tools with which to do it unless the Commission supports them, so, as a consequence, this is a very important Order. He said he felt very strongly that the OCC needs this kind of support.

Mr. Clisham said he was supporting the status quo that until there is a factual demonstration that the Chief of Police has not taken these matters seriously enough that they don't automatically have to go to the Police Commission.

Commissioner Owens said she would make a motion that the Commission adopt item #8 on the agenda and Commissioner Nelder said he would second that motion and it was unanimously approved.

RESOLUTION NO. 1159-88

POLICY OF THE POLICE COMMISSION OF THE SAN FRANCISCO
POLICE DEPARTMENT ON OCC COOPERATION

WHEREAS, the Police Commission believes and hereby reaffirms as policy, that the efficient operation of the Police Department is a goal all members of the Department must strive to attain. A critical part of achieving this goal is to have a complaint process which has the credibility and support of all members of the department as well as the public; and

WHEREAS, the San Francisco Police Commission considers the obligation of members of the Department to cooperate and assist the Office of Citizen Complaints to be essential to the prompt and thorough investigation of allegations of officer misconduct and to the management of this department; and

WHEREAS, all members are reminded of the following:

Section 3.530-2 of the Charter of the City and County of San Francisco requires that:

"In carrying out its objectives the Office of Citizen Complaints shall receive prompt and full cooperation and assistance from all departments, officers, and employees of the City and County."

SFPD General Order L-1 states:

"It is the policy of the Department that both sworn and non-sworn members cooperate fully with the Office of Citizen Complaints (OCC) staff members in their investigation of citizen complaints. Furthermore, members shall provide full assistance in the expeditious processing of citizen complaints consistent with this order."

therefore, be it

RESOLVED, all members are advised:

1. Attempts to threaten, intimidate, mislead, or harass potential or actual OCC complainants, witnesses, or staff members will be considered to be serious violations of General Order L-1 deserving of severe forms of discipline including, but not limited to, termination.
2. That when the Chief of Police receives a sustained case involving a violation of General Order L-1, such case will be referred to the Police Commission for trial.
3. Members who are the subject of a complaint filed with the OCC shall not contact the complainant or witnesses regarding the issues of the complaint. If the member must contact the complainant or a witness to a complaint in the line of duty, the officer shall not discuss or make any reference to the complaint.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

HEARING ON DISCIPLINARY CHARGES FILED AGAINST POLICE
OFFICER JOHN HAGGETT, CRIMINAL INFORMATION DIVISION,
WARRANT BUREAU

Mr. William Conroy, Attorney for Officer Haggett, said he would ask at this time that after full review of the recommendation, going over all of the discovery that they have in this particular case, he would ask the Commission to re-refer this back to the Chief of Police. He said he would ask that for one particular reason and that is the parties do not disagree on the facts in this particular case which he felt are pretty much four square. He said, however, they disagree a great deal on the interpretation of those particular facts. He said, therefore, in the interest of time and understanding as to what this Commission goes through on these various hearings and these various trials he would request permission and perhaps direction to re-refer it to the Chief of Police so that perhaps it could be disposed of in a Skelly Hearing.

Mr. Michael Gash, Attorney for the Department, said that given the nature of the allegations against Police Officer Haggett he felt it imperative that the Police Commission hear the witnesses to make a determination as to the very nature of the action that was committed by Officer Haggett and then make a determination as to the proper penalty if those allegations are found to be true. He said these are very serious allegations and did not feel that they are those that warrant the Chief of Police disposing of it at his level.

Commissioner Nelder said to President Giraudo that he would make a motion. He said the Commission really does not know the nature of the case. He said Mr. Conroy knows that the Commission never previews these cases until they come before them.

He said, so therefore, he would make a motion for approval of the date of July 6th for hearing this matter and suggest to Mr. Conroy to include in his recommendation at that time to refer it to the Chief of Police after the Commission knows something about the case. Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 1159-88

HEARING OF POLICE OFFICER JOHN A. HAGGETT, CRIMINAL INFORMATION DIVISION, WARRANT BUREAU

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer John A. Haggett, Criminal Information Division, Warrant Bureau, was called it having been scheduled for this date; and

WHEREAS, it was requested by the Police Commission that the date for the hearing be continued to July 6, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer John A. Haggett, Criminal Information Division, Warrant Bureau, is continued to Wednesday, July 6, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RECOMMENDATION OF THE CHIEF OF POLICE FOR REVOCATION OF TAXICAB PERMIT #447 HELD BY MR. ALBERT VELLA

Officer Linda Flanders from the Permit Section, presented the facts of this case to the Commission. Also, Mr. Carl Brown, Attorney at Law appeared on behalf of Mr. Vella saying that Mr. Vella has been in a dentist chair all afternoon and is not in very good condition but is here to hear what is happening. Mr. Brown said he also had present tonight the insurance broker who will present facts on behalf of Mr. Vella. The broker, a Mr. Lipstein, then said he had proof that the insurance companies themselves in writing admit on the face of the documents which he is submitting to the Commission apologized for the late renewal of insurance coverage and it is they who are delinquent as Mr. Vella is covered.

He then went on to explain the system detailing the fact that it just doesn't work as far as having coverage documented in a timely manner but even so, he said, clients are covered.

Commissioner Giraudo did not agree and pointed out to the broker, who could not dispute it, that under that system there was no coverage for three and a half months.

After listening to further discussion, Commissioner Nelder said he would like to continue the matter until at such time the driver of the cab can be present and answer some questions. It was then continued to June 22, 1988, at 5:30 p.m..

REQUEST FOR POLICE COMMISSION APPROVAL BY THE DRUG
EDUCATION UNIT OF A DRUG SUPPRESSION GRANT FOR THE
SECOND YEAR, WHICH WILL BE FUNDED BY THE OFFICE OF
CRIMINAL JUSTICE PLANNING (OCJP) AND MATCHING FUNDS
FROM DRUG ASSET SEIZURES

Sergeant Robert Del Torre, in speaking on behalf of this item, read to the Commission a letter to the Chief of Police thanking the Chief for this program telling how much this particular student from Commodore Stockton School liked the program and extolling the expertise of one of the officers who presented the program to her and classmates. He said this is one of the hundreds of letters the program receive from kids all over the city and the second year Grant Funding will provide every public school with one third, fourth and fifth grades training kit. He said in addition they have already started a parent component and it is called preparing for the drug for years.

Commissioner Nelder said he would move approval of this very important program, Commissioner Owens seconded and it was unanimously approved.

RESOLUTION NO. 1160-88

REQUEST BY THE DRUG EDUCATION UNIT FOR APPROVAL OF A
DRUG SUPPRESSION GRANT FOR THE SECOND YEAR, WHICH
WILL BE FUNDED BY THE OFFICE OF CRIMINAL JUSTICE
PLANNING (OCJP) AND MATCHING FUNDS FROM DRUG ASSET
SEIZURES

WHEREAS, the San Francisco Police Department Drug Education Unit and the San Francisco Unified School District (SFUSD) are currently operating under a \$72,000.00 Office of Criminal Justice Planning (OCJP) Drug Suppression Grant of which the Commission approved last year, and

WHEREAS, the Office of Criminal Justice Planning has offered second year funding for the Drug Suppression Grant which requires matching funds of \$28,000.00 which will be taken from Drug Asset Seizures; therefore be it

RESOLVED, that the Police Commission does hereby approve the San Francisco Police Department Drug Education Unit and the San Francisco Unified School District request for an extension of the grant proposal which matching funds will be funded by Drug Asset Seizures.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

HEARING OF POLICE OFFICER GLADYS M. GRAY, MISSION
STATION (CONTINUED FROM MEETING OF JUNE 1, 1988)

The hearing of the disciplinary charges filed against Police Officer Gladys M. Gray, Mission Station, was called it having been continued from the meeting of June 1, 1988. Police Officer Gladys M. Gray was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Possession or using controlled substances as defined under the California Uniform Controlled Substance Act (Violation of Section IV.C of General Order D-4 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Gladys M. Gray appeared in person and was represented by Sylvia Courtney, Attorney at Law.

The following witnesses appeared for the Defense, were sworn and testified:

Lieutenant Croce Casciato, Company D
Officer Gladys M. Gray, Company D

The following exhibits were entered into evidence by the Defense:

Exhibit A	Memo from Lt. Casciato to Capt. M. Lennon, 5/27/86, Re: Officer Gray
Exhibit B	Memo from Officer Gray to Capt. V. Macia, 7/26/85, Subj: Request for Temporary Station Duty Assignment
Exhibit C	Superior Court Order No. 600386-7, Order After Hearing Filed 8/12/85
Exhibit D	Memo from Officer Gray to Capt. M. Lennon, 5/17/85, Subj: Domestic Dispute
Exhibit E	Kaiser Medical Report on Assault, 7/24/87
Exhibit F	Captain's Complimentary Report from Capt. M. Brush, 8/25/87, for Officer Gray and 2 other Officers
Exhibit G	Employee Assistance Program Report, 5/3/88, from Mr. Woody Hunter, Director, Re: Officer Gray
Exhibit H	Letter from Peter Bradley, Ph.D., 6/6/88, to Attorney Sylvia Courtney, Re: Discharge Hearing for Police Officer Gladys Gray

Closing statements were made by both Prosecuting and Defense Attorneys.

The Commission took the matter under submission, recessed and returned, finding that Specification No. 1 is sustained.

Based on those findings, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that Officer Gladys M. Gray be terminated.

The Commission again took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1162-88

DECISION - HEARING OF POLICE OFFICER GLADYS M. GRAY,
MISSION STATION

WHEREAS, on September 21, 1987, Frank M. Jordan, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Gladys M. Gray; and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

Possessing or using controlled substances as defined under the California Uniform Controlled Substance Act (Violation of Section IV.C of General Order D-4 of the San Francisco Police Department).

- (1) At all times herein mentioned, Gladys M. Gray, Star No. 2067 (hereinafter referred to as "the accused") was and is a Police Officer employed by the San Francisco Police Department. The accused was assigned to the Golden Gate Division - Mission Station. However, the accused was suspended on September 14, 1987;
- (2) As a police officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) From about January 1986 to the present, the accused used more than twenty-seven (27) days of sick leave. Several of these sick leave days were taken in conjunction with watches-off and weekends;
- (4) On or about July 28, 1987, the Management Control Division received information from a confidential reliable informant that the accused had abused cocaine and that she had been observed using cocaine on or about July 24, 1987;
- (5) On or about July 29, 1987, the accused was ordered to submit to a urinalysis. The accused complied with this order;
- (6) The toxicological report of the urine sample provided by the accused, on or about July 29, 1987, tested positive, at a low level, for cocaine during the initial screening test. On or about August 3, 1987, the accused was informed that the result of her urine sample was negative.

- (7) On or about September 3, 1987, at 0900 hours, the accused was subpoenaed to appear in Department No. 11 to testify regarding a criminal matter. The accused failed to appear as required. The criminal matter was continued until the afternoon calendar and attempts were made by members of the department to contact the accused. When contacted by a member of the department, the accused stated that she did not know where to go;
- (8) On or about September 3, 1987, at approximately 1200 hours, the accused telephoned the District Attorney's Office regarding her appearance in court. The accused was disjointed and rambling in her conversation, did not make sense, abruptly changed the subject and repeated the same questions without listening to the responses given by a member of the District Attorney's Office;
- (9) On or about September 3, 1987, at approximately 1500 hours, the accused was ordered to submit to a urinalysis. The accused complied with this order;
- (10) The toxicological report of the urine sample, provided by the accused on or about September 3, 1987, tested positive for cocaine and cocaine metabolite. A confirmation test indicated that the accused's urine contained approximately 600 ng/ml of cocaine and more than 10,000 ng/ml of benzoylecgonine, which is a metabolite of cocaine;
- (11) The accused, by having cocaine and benzoylecgonine in her urine, which indicates the use of cocaine, has engaged in conduct which constitutes a violation of Section IV.C of General Order D-4 of the San Francisco Police Department, which states:

"A member shall not use any substance, as defined under the California Uniform Controlled Substance act any time, whether on or off-duty unless prescribed by a physician."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, May 25, 1988, Wednesday, June 1, 1988 and Wednesday, June 8, 1988, and on Wednesday, June 8, 1988, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specification No. 1 as preferred by the Chief of Police against Police Officer Gladys M. Gray are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

Specification No. 1 Termination

RESOLVED, that said termination, effective immediately, be, and the same is hereby affirmed and approved.

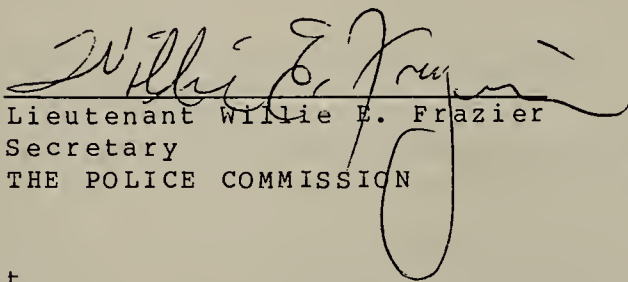
AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

Recesses taken during the hearing of Officer Gladys M. Gray:

7:25 p.m. to 7:40 p.m.
8:27 p.m. to 8:35 p.m.
9:35 p.m. to 9:41 p.m.
10:05 p.m. to 10:12 p.m.
10:18 p.m. to 10:35 p.m.

The meeting, thereafter, was adjourned at 10:35 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4299M

5
JUNE 15, 1988

REGULAR MEETING

8
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 15, 1988 at 1600 hours in Regular Meeting.

Commissioner Giraudo presiding.

DOCUMENTS DEPT.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

SEP 13 1988

SAN FRANCISCO
PUBLIC LIBRARY

HEARING OF POLICE OFFICER DARRYL S. PERKINS, TARAVAL
STATION

The hearing of the disciplinary charges filed against Police Officer Darryl S. Perkins, Taraval Station, was called it having been set for this date. Police Officer Darryl S. Perkins was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Engaging in conduct which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department).

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Police Officer Darryl S. Perkins did not appear nor was he represented by counsel.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Mr. Michael Gash made an opening statement referring to the absence of Officer Perkins and placed into evidence the below listed prosecution exhibits detailing advanced notification of the hearing.

Exhibit #1	Memo from Chief of Police to Officer Perkins dated 5/24/88, Re: Continuation of Suspension Pending Before the Police Commission
Exhibit #2	Return Receipt showing receipt of certified letter by Officer Perkins, 5/28/88
Exhibit #3	Return Receipt showing receipt of letter Re Hearing of 5/18/88 by Officer Perkins, 6/3/88
Exhibit #4	Return Receipt showing receipt of certified letter by Officer Perkins, 6/10/88

After listening to Mr. Gash's presentation and noting the Department's exhibits, Commissioner Nelder made a motion to continue the matter for one week, and also that the Department investigate and report the reasons why Officer Perkins did not appear as ordered for this hearing this evening.

The hearing was then continued to Wednesday, June 22, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

(The entire proceedings were taken in shorthand form by Clint Miller, CSR.)

APPROVAL OF MINUTES OF MEETING OF MARCH 9, 1988

Approval of Minutes of Meeting of March 9, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1191-88

ROBERT RUBIN vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Robert Rubin vs. City and County of San Francisco, et al in U.S. District Court No. C87-2938 CAL in the sum of \$2,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 2, 1986

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1192-88

PAULA BAKER vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment in Paul Baker vs. City and County of San Francisco in Small Claims Court No. 476-007 in the total sum of \$1,111.08 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 26, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1193-88

DOUGLAS M. DEA FONG vs. CITY AND COUNTY OF SAN FRANCISCO, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Douglas M. Dea Fong in Superior court No. 852-564 in the amount of \$1,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 28, 1985

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1194-88

LEMARDO S. VENGE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lemardo S. Vengeo in the sum of \$452.97 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 23, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1195-88

JEFFERY THOMAS SMITH vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made in Jeffery Thomas Smith vs. City and County of San Francisco in Small Claims Court No. 476-711 in the total amount of \$398.25 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 30, 1987

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

RESOLUTION NO. 1196-88

ANDRE ARCADE MARTIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andre Arcade Martin in the sum of \$242.04 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 5, 1988

AYES: Commissioners Giraudo, Nelder, Owens
ABSENT: Commissioner Sanchez

POLICE COMMISSION REPORT

Commissioner Giraudo announced that the Police Commission had no report tonight.

(a) PUBLIC COMMENTS

No pulbic comments at this time.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he just wanted to update the Commissioners again on the on-going budget situation. He said he would be appearing tomorrow with the budget staff at the Finance Committee Meeting of the Board of Supervisors in the afternoon and they will then be going over again the entire police budget in terms of whatever the Mayor wants to re-submit between Tuesday's original Finance Committee Meeting and tomorrow. He said so at this point everything has been on hold, "the Police Department Budget", until they evaluate exactly what the recommendations are going to be so there may be some supplemental appropriations coming in tomorrow, if not, the Finance Committee Chairman, Supervisor John Molinari, said he will go with the original Proposition K cuts. So, he said, I understand there will be something happening down at the Mayor's Office and the Board of Supervisors for tomorrow night's meeting. He said he would keep the Commission informed.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director of OCC, said he just had one item. He said last week he submitted the quarterly report for the first quarter of 1988 and he wondered if the Commissioners had any questions concerning this report.

Commissioner Nelder said he had no questions, that he had gone over the report and this was also acknowledged by Commissioners Owens and Giraudo. Thereafter, no further comments were made and the next item was called.

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL OF PROPOSED AMENDMENT TO ADMINISTRATIVE CODE CHAPTER 10C ON REIMBURSEMENT FOR TOWING AND STORAGE OF STOLEN VEHICLES

Continued for one week to allow either Captain John Newlin or Sergeant Fred Pardella to make a presentation on this item.

The Commission then recessed.

The Commission reconvened at 5:45 p.m. and returned to item 6(a), Public Comments to allow Mr. Clifton Jeffers, Attorney for Police Officer Jean Powers to make a presentation. Commissioner Giraudo announced that Mr. Jeffers was unable to be here on time for the general public comments agenda item and then stated

PUBLIC COMMENTS

Commissioner Giraudo, responding to Attorney Clifton Jeffers' request asked him to proceed:

Mr. Jeffers: Thank you, Commissioner Giraudo and members of the Commission. As you know, I represent Police Officer Jean Powers whose disciplinary hearing is scheduled for June 22nd, next Wednesday. We have requested a stay of the disciplinary hearing pending a

determination of his application for industrial disability retirement. That request rests on two fundamentally sound principles, legally and factually. One is that if the hearing were to go forward and if as a result of that hearing he were terminated, then he would have lost his right to disability retirement. The other is that by granting this stay pending the outcome of the disability retirement process, the Department nor the City is in any way prejudiced. That is to say, you will be in no worse position by granting this stay, then you will be in, legally and factually, if you deny the stay. Now I have a couple of brief documents that I would like to share with you. It's a copy of a pertinent provision of the San Francisco Charter and a four-page memorandum that I have done to address that issue.

(He then passed the documents to the Commissioners.) Attachments A and B

Commissioner Giraudo:

Do you want to give us a brief explanation of what you think the purpose or relevance of this is?

Mr. Jeffers: Yes, Mr. Giraudo. This section of the Charter, 8:586-9, Caption--REFUNDS AND REDEPOSITS (Attachment A) says that if a member leaves the department by means other than death or retirement or transfer to another office or department, all of his contributions, with interest credited thereon, shall be refunded to him. Now the plain language of that means that if someone is terminated or leaves the department in any of the conditions other than those that I have just read, then that person is not entitled to retirement. He or she simply receives back the contributions that have been made to the retirement fund. If a person retires, he or she does not receive back the contributions in that sense, rather, they receive a monthly stipend, a pension, a retirement, that goes on indefinitely. So that my point in bringing this to your attention is to undergird the earlier position that I set forth, namely that if you proceed with the disciplinary hearing and Mr. Powers should be terminated as a result of that disciplinary hearing, then he will have been deprived of a right to which he is entitled namely retirement. Now, I would just call your attention to the section set forth in my letter to you dated June 13th and that Section 8.586-3 and if you don't have that handy, it is very short and I will just read it. (Attachment C) It says any member of the Police Department who becomes incapacitated

for the performance of his duty by reason of any bodily injury received in or illness caused by the performance of his duty, shall be retired and I emphasize SHALL BE RETIRED, meaning that he has a right to retirement. Our position simply is that Mr. Powers is incapable of performing as a police officer. That the condition in which he finds himself is a direct result of his performance of over five and one half years as a police officer and he is therefore entitled under this Charter provision to retire. He is pursuing that right and therefore not to delay the disciplinary hearing, not to stay it pending the outcome of that, would deprive him or could deprive him of that right. Now, I would just comment on that memorandum that I've prepared. (Attachment B)

I can understand the responsibility that this Commission has and I perceive it as no less my responsibility as a lawyer and as a member of this community to be concerned about the health, safety and welfare of the citizens of this City. The memorandum that I have prepared addresses the central question of whether or not the Department or the City would be subject to any greater liability irrespective of what act Mr. Powers might commit by virtue of staying the disciplinary proceedings. I've set forth the statutory provisions relating to that and then I cite a number of cases that have interpreted these provisions. And in summary, let me just analogize it this way. If you granted a stay and if Mr. Powers committed some act which someone thought the Police Department might be liable for and wanted to sue, let's say Mr Powers...the Department would be no more liable than if a police officer was on vacation, no longer on duty, and committed such an act. Clearly, neither would be within the scope of his duties. There is no way under the present set of circumstances that Mr. Powers could commit an act within the scope of his duties as a police officer because he is no longer on duty; he's no longer on the payroll, his weapon, his identification and all indicia of being a police officer has been removed from him.

Commissioner Nelder:

What's his present status? Is he suspended or is he on leave or what is he?

Mr. Jeffers: That's a good question, Commissioner Nelder, and I am not sure that I know the answer. I am aware that initially he was placed on sick leave.

Thereafter, I am aware that he was placed on AWOL status and I don't know whether the AWOL status has been changed or not.

Chief of Police Frank Jordan:

He's absent without leave.

Commissioner Giraudo:

Well, Mr. Jeffers, you've presented something far beyond my legal capabilities, if you will, as an attorney. I don't know these intricacies of the Charter, quite candidly. I don't know the answer with respect to the liability that you speak to. He is AWOL Status with the San Francisco Police Department. There is some concern for his well being obviously in his present state of mind. The disciplinary procedures of Para-Military Organizations such as the Police Department, in order to maintain a semblance of order, or full order as a Para-Military Organization, requires that disciplinary matters be handled expeditiously. In this instance you have raised some legal issues and questions that I am not capable of answering including the Brown Act question that is before us this evening with respect to whether we can actually take any action upon your request because it wasn't a noticed action and I did read your letter that was received again today speaking of that particular issue. It would be my feeling that we should seek advice again from the City Attorney based upon this memorandum and based upon this citation to the City Charter, and I don't know whether we can get that advice in a week's time but I would like to request that the City Attorney respond to this Commission with respect to the issues that have been raised by Mr. Jeffers. I don't know whether you are telling us it is within our discretion or whether its an absolute that we must not go forward with the disciplinary procedure because of the prejudice it may cause your client and that's because I haven't had the opportunity to read your memorandum, and if it is within the discretion of the Commission, then the Commission can act accordingly next week, and if its mandatory, then obviously we will do whatever is required of us or whatever we are advised to do by our counsel. But I do think it is important that we keep this on track and that you be here again next week for the purposes of the City Attorney's response and the Commissioners' response and I am not in a position to do that because I will need a motion or concurrence from my fellow Commissioners.

Commissioner Nelder:

I doubt, Mr. President, that you could get that back in a week. Why don't we put this over to the 29th for a determination and guidance by the City Attorney.

Chief Jordan:

Commissioners, my only concern is that the circumstances of his absence without leave and the situation that has occurred here but the liability factor is there regardless of what I believe I have heard tonight. I sense that the Police Department and the City is still accountable for what a police officer does so we really should keep it on calendar on a week-to-week basis so that we can clear it as soon as possible.

Commissioner Giraudo:

Commissioners, perhaps I can call City Attorney Louise Renne tomorrow and urge her to put somebody on this immediately so that we do get a response.

Commissioner Nelder:

Okay, I move one week.

Commissioner Owens: Second

Commissioner Giraudo:

Alright, all those in favor?

Commissioners Nelder, Owens and Giraudo: AYES

Commissioner Giraudo:

All those opposed? - (NONE) So we will take up the matter of your motion or your request for a Stay next Wednesday as a regularly scheduled calendar item. We will assume that we will not

go forward next week with the evidence itself but that we will respond to your request for a Stay and reset if that is the desire or wish of the Commission in the absence thereof of postponing it for a given amount of time. And pursuant to the discussion you and I have had (to Attorney Jeffers), I would appreciate if you would follow up on that because that liability question looms in my mind and I think Officer Powers is in dire need of help.

Mr. Jeffers: I agree with you.

Thereafter, item #9, Medal of Valor Awards Ceremony was called.

Commissioner Giraudo: "Good Evening Ladies and Gentlemen, I am Commissioner Louis Giraudo, President of the Police Commission. We are indeed very grateful that you were able to come here tonight and share with us in honoring the many heroic officers at this Meritorious Conduct Awards Ceremony. We hope you will enjoy yourselves and that you will return to your homes with pleasant recollections of what you have seen and heard here.

SILVER MEDAL OF VALOR

Police Officer William A. Canning

BRONZE MEDAL OF VALOR

Police Sergeant John R. Troche'
Police Officer Mario Delgadillo
Police Officer George Cima
Police Officer Nikolaus Borthne
Police Officer Mark H. Madsen
Police Officer Matthew Krinsky
Police Officer Donald Hicks
Police Officer Mary Heffernan
Police Officer Mark Mino
Police Officer Michael S. Gaynor
Police Officer Matthew J. McNaughton
Police Officer James S. Acevedo
Police Officer Jeffrey C. Greenlaw
Police Officer Steven Stocker
Police Officer Bernanrd Sullivan
Police Officer Oscar Carcelen
Police Officer Daniel Gardner
Police Officer Craig Farrell
Police Officer Robert Almstead

MERITORIOUS CONDUCT AWARD

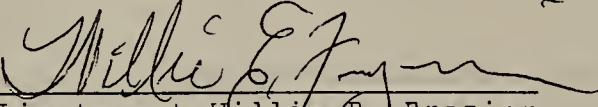
Police Inspector Samuel G. Hamilton
Police Inspector William F. Marweg
Police Officer James Deely
Police Officer Robert Brodnik
Police Officer mark McDonough
Police Officer Robert Almstead

HONORABLE MAYOR ART AGNOS was then introduced.

MAYOR AGNOS: "Well, thank you very much Mr. President, Chief and members of the Commission, Deputy Chiefs and Officers and family and friends. I came here to honor a couple of Commissioners who will be leaving this Commission but I also want to take a moment and just say thank you to the men and women of this police force who exemplify the kind of Valor that a few of you are being honored for with the special acts that have been so well articulated in the Awards Ceremony. It's a thrill, for me as Mayor, to sit here and listen and understand and appreciate what you do everyday for all of us. I, as a Mayor, who has been in office now, five months and six days and three hours, with the kind of job I have had during that time I count every hour, I am especially aware of what your work is. I saw it during the best performance I have ever seen by a Police Department during the Central American protest that took the largest protest anywhere in the country and handled them successfully. I saw it during the MUNI rock violence episodes that also

were handled professionally and expertly and now I am seeing it with individual acts by people who are being recognized today and I just want you to know that I am grateful and appreciate it and I am also grateful that we were able to work out the budgetary problems that unfortunately threatened us with cuts that no one, no one in this City really wants to make. The challenge though for this Commission, to work well with the Chief, with the rank and file and the community, I think, has been extraordinarily well met by two people who will be leaving this Commission that I want to honor tonight. It's not easy to be a Commission in any Commission but on this one, especially, where it is not enough just to do well but it's important that we have excellence and in Dr. Juanita Owens and Dr. David Sanchez we have had two excellent Commissioners. They have had the kind of team work with their own leadership, with President Giraudo, with the Chief and with the rank and file as well as the Community, that I think is a model for every Commissioner to follow in all of our Commissions in our City. And so I am very proud to acknowledge Dr. David Sanchez, who is not here today, he's in Mexico on a personal trip, for his eleven (11) years of service. He is known for having played a very special role in the establishment of the Office of Civilian Complaints where he took the Commission out on meetings in various neighborhoods to make sure people who couldn't get here would be heard. And I have an Award here that is not quite as lovely as that Award that has been given to each of the honorees tonight but also signifies though the appreciation of this City for the excellence that he has provided. The second person that I want to honor today is Dr. Juanita Owens who in her term has also shown a kind of excellence in a very special area that's important to me and that is in helping to provide a welcoming attitude on the part of this Commission and the Police Department toward's women. Sexism is something that is extremely important to this Mayor and this Department and Dr. Juanita Owens, I think, has played a very special role in making sure that we deal with that issue in the most responsible and thoughtful way. And Dr. Juanita Owens, I just want you to know that this Mayor is very grateful to you for what you have given to this City and I appreciate it very much, personally. Thank you very much."

Thereafter, the meeting was adjourned at 7:25 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4294M

Minutes
JUNE 22, 1988

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 22, 1988 at 1700 hours in Closed Session.

DOCUMENTS DEPT.

Commissioner Giraudo presiding.

SEP 20 1988

1. Attorney-Client Conference.

SAN FRANCISCO
PUBLIC LIBRARY

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

JUNE 22, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 22, 1988 at 1730 hours in a Regular Meeting.

Commissioner Giraudo presiding.

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

APPROVAL OF MINUTES OF MEETING OF MARCH 16, 1988

Approval of Minutes of Meeting of March 16, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1203-88

TRAVIS JONES vs. CCSF, et al

RESOLVED, that the recommendaiont of the City Attorney for settlement of the litigation of Travis Jones in the amount of 7,500.00 entitled "Travis Jones vs. CCSF, et al" in Superior Court No. 859-409 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 9, 1985

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1204-88

CHARLES CARPENTER vs. CCSF, et al

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of Charles Carpenter in the amount of \$6,000.00 entitled "Charles Carpenter vs. CCSF, et al" in United States District Court No. C86-5836 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 15, 1985

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1205-88

HERBERT L. WINBUSH vs. CCSF

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Herbert L. Winbush in the sum of \$5,900.00 entitled "Herbert L. Winbush vs. CCSF" in Superior Court No. 854-731 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 31, 1985

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1206-88

STATE FARM MUTUAL AUTO. INSURANCE CO. (INS: PAULA BAKER)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of State Farm Mutual Auto. Insurance Co. (Ins: Paula Baker) in the sum of \$4,021.17 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 26, 1987

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1217-88

JOEL LEHRER

RESOLVED, that the judgment made by the City Attorney for the settlement of the claim of Joel Lehrer in Small Claims Court No. 476-303 in the amount of \$106.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 4, 1987

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1207-88

PEDRO CELAY, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Pedro Celay, Jr. in the sum of \$657.00 as a result of a damages sustained, be, and the same is hereby approved.

Date of Incident: February 5, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1208-88

MARVIN WHITFIELD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marvin Whitfield in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 18, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1209-88

DEARY P. DUFFIE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Deary P. Duffie in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 23, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1210-88

KENJI MAKI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenji Maki in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 29, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1211-88

HIDESHI MATSUDA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Hideshi Matsuda in the sum of \$145.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 15, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1212-88

SIENG BUN LAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sieng Bun Lam in the sum of \$140.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1213-88

VICTOR H. ZAMBRANO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Victor H. Zambrano in the sum of \$140.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 26, 1987

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1214-88

JUDITH WATSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Judith Watson in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1215-88

MONROE EDWARDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Monroe Edwards in the sum of \$125.00 as a result of faulty tow, be, and the same is hereby approved.

Date of Incident: April 11, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1216-88

JULIO R. MENDOZA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim Julio R. Mendoza in the sum of \$125.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 14, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1218-88

SUE C. ROWDEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sue C. Rowden in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 17, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1219-88

MIGUEL BENAVIDES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Miguel Benavides in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 22, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1220-88

RENE PADILLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rene Padilla in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1221-88

ALEJANDRO SANDOVAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alejandro Sandoval in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 21, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1222-88

ALFONSO SANDOVAL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alfonso Sandoval in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 20, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1223-88

CAROLYN L. COONS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carolyn L. Coons in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 18, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1224-88

ANNE LEONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Anne Leong in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 7, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1225-88

LINDA FRIX RETTMANN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Linda Frix Rettmann in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 12, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1226-88

SAMUEL E. GOLDSTEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Samuel E. Goldstein in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 15, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1227-88

JOHN S. JORDAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John S. Jordan in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 18, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1228-88

DONALD KAYANO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald Kayano in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1229-88

MONICA BAY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Monica Bay in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 25, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1230-88

RUTH ANN SWENSON BURNAKUS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruth Ann Swenson Burnakus in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1231-88

FRANCES QUILICI

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Frances Quilici in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 4, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1232-88

DAVID LEE GAINOUS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Lee Gainous in the sum of \$75.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 10, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1233-88

RONALD PAYTON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ronald Payton in the sum of \$65.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 25, 1987

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1234-88

EMILY FITZSIMMONS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Emily Fitzsimmons in the sum of \$20.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1988

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

POLICE COMMISSION REPORT

Commissioner Giraudo announced that the Police Commission met this afternoon in Executive Session on an Attorney-Client Conference on Personnel Matters and no vote was taken. Commissioner Giraudo then said it is with great pleasure that the Commission welcome the new Police Commissioners this evening. Police Commissioners Jose Medina, Pius Lee and Gayle Orr-Smith. Commissioner Giraudo welcomed all.

POLICE COMMISSIONER APPOINTED

The Honorable Jose Emilio Medina having been appointed Police Commissioner for the City and County of San Francisco by his Honor, Mayor Art Agnos, was sworn in by his Honor Art Agnos in Room 282, City Hall, on Tuesday, June 21, 1988; his appointment as a member of the Police Commission in and for the City and County of San Francisco is for a term ending January 15, 1992.

POLICE COMMISSIONER APPOINTED

The Honorable Pius Lee having been appointed Police Commissioner for the City and County of San Francisco by his Honor, Mayor Art Agnos, was sworn in by his Honor Art Agnos in Room 282, City Hall, on Tuesday, June 21, 1988; his appointment as a member of the Police Commission in and for the City and County of San Francisco is for a term ending January 15, 1989.

POLICE COMMISSIONER APPOINTED

The Honorable Gayle Orr-Smith having been appointed Police Commissioner for the City and County of San Francisco by his Honor, Mayor Art Agnos, was sworn in by his Honor Art Agnos in Room 282, City Hall, on Tuesday, June 21, 1988; her appointment as a member of the Police Commission in and for the City and County of San Francisco is for a term ending January 15, 1990.

POLICE COMMISSIONER RE-APPOINTED

The Honorable Louis J. Giraudo having been re-appointed as President of the Police Commission for the City and County of San Francisco by his Honor, Mayor Art Agnos, was sworn in by his Honor Art Agnos in Room 282, City Hall, on Tuesday, June

21, 1988; his re-appointment as a member of the Police Commission in and for the City and County of San Francisco is for a term ending January 15, 1992.

POLICE COMMISSIONER RE-APPOINTED

The Honorable Alfred J. Nelder having been re-appointed as Vice President of the Police Commission for the City and County of San Francisco by his Honor, Mayor Art Agnos, was sworn in by his Honor Art Agnos in Room 282, City Hall, on Tuesday, June 21, 1988; his re-appointment as a member of the Police Commission in and for the City and County of San Francisco is for a term ending January 15, 1992.

(a) PUBLIC COMMENTS

No public comments desired to be made at this time.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said that on behalf of the men and women of the San Francisco Police Department he would like to congratulate all five of the Commissioners and the re-appointments of the President, Louis J. Giraudo and Vice President, Alfred J. Nelder and their continuing on as Police Commissioners. He said for the three Commissioners who are here tonight for the first time he wanted them to know that the San Francisco Police Department pledge its total cooperation and look forward to working with them as members of the San Francisco Police Department by not only the Administration but the entire working rank and file of the Police Department. He said he is looking forward to having a very productive Commission and he also looks forward to having mutual cooperation on a number of issues dealing with policy, disciplinary matters and open forums for public hearings.

He said, again, the SFPD is very, very happy to have all of them with us.

He said the second update is just to give the Commission an update on the budget as it stands now. He said it passed the Finance Committee of the Board of Supervisors and will go to the full Board next Monday and at this point there has been no changes from what has been heard in the past.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer said he would just like to echo the Chief's words in that they (OCC) feel very proud to be working for the Commissioners whom they look forward to working with very closely.

Secondly, he said, Lieutenant Frazier has in front of him five (5) copies of the Appellate Court Decision that was issued on June 16th. He said the major issue is the Complainants right to be present during an OCC Hearing and to be represented was challenged and, he said, we have the report that the Appellate Court ruled in favor of them being present at the Hearing and being represented by a

representative of their choice. He said he was very happy that it came out that way and it shows some support for the Commission's Rules and Hearing Process.

Mr. John Crew, Attorney from the ACLU, said he would like to also comment on this significant decision. He said the Police Officer's Association for three (3) years has been arguing in court that the OCC can have hearings but only complainants are not allowed to be there. He said they (ACLU) did not view that as a hearing but the Bar Association of San Francisco joined in amicus with the ACLU in support of the Commission's Hearing Rules for the OCC so, he said, they (ACLU and Bar Assoc.) view that decision as extremely significant and very important for the credibility and the effectiveness of the OCC process.

RECOMMENDATION OF THE CHIEF OF POLICE FOR APPROVAL
OF PROPOSED AMENDMENT TO ADMINISTRATIVE CODE CHAPTER
10C ON REIMBURSEMENT FOR TOWING AND STORAGE OF
STOLEN VEHICLES

Captain John Newlin, Traffic Division, said what they are asking is for the Police Commission to request the Board of Supervisors to reconsider Administrative Code Section 10.C or that specific portion of it that requires the Police Department to reimburse individuals who are San Francisco residents that have had their cars stolen and recovered in the City for the cost and storage of that vehicle. He said that this was added to this legislation approximately 4 years ago by Supervisor Britt. The economic situation of the city, he said, was quite different, the volume of cars stolen or recovered was quite different and the cost of towing and storage was quite different at that time. He said currently, they anticipate in the next year that this provision in the Administrative Code will cost the Police Department in excess of 100,000 dollars and while the Traffic Division empathize with individuals that have their cars stolen and recovered by the Police in terms of the tow cost it is difficult for the Department to reimburse these individuals as the Department has no way of knowing or the ability to investigate whether they are really insured or not and many, he said, the Department suspects are being reimbursed for tow cost from their insurance companies as well as being paid off by the city. Secondly, he said, it just is a system that is implemented no where else in the state or nationally and it would be similar to the Department reimbursing people that had property stolen as a result of burglaries or paying people for hospitalization cost as a result of muggings. Commissioner Nelder said this is very realistic and he would move approval. Commissioner Orr seconded and it was unanimously approved.

RESOLUTION NO. 1198-88

RECOMMENDATION OF THE CHIEF FOR APPROVAL OF PROPOSED
AMENDMENT TO ADMINISTRATIVE CODE CHAPTER 10C ON
REIMBURSEMENT FOR TOWING AND STORAGE OF STOLEN
VEHICLES

WHEREAS, the City and County of San Francisco currently exempts residents thereof from the

requirement of paying fees associated with the towing and storage of their automobiles which have been stolen and subsequently recovered by the San Francisco Police Department; and

WHEREAS, the dollar amount associated with such exemption costs the City and County of San Francisco in excess of \$100,000 dollars annually; and

WHEREAS, the deletion of Section 10C.8-1 of the Administrative Code of the City and County of San Francisco would decrease the expenditure of funds to comply with the reimbursement for towed vehicles as outlined in Chapter 10C of the Administrative Code; now, therefore be it

RESOLVED, that the Police Commission of the City and County of San Francisco hereby requests that the Board of Supervisors adopt the attached amendment to the San Francisco Administrative Code which deletes Section 10C.8-1 therefrom and deletes such references thereto from Chapter 10C of the Administrative Code.

AYES: Commissioners Giraudo, Lee, Medina, Nelder, Orr-Smith

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL OF APPROPRIATION AMOUNTING TO \$10,509,846 FROM PROCEEDS OF THE "POLICE FACILITIES IMPROVEMENT BONDS" FOR RENOVATION OF VARIOUS POLICE DEPARTMENT FACILITIES

Lieutenant Tom Suttmeier, Planning Division, said that essentially what this is is a mechanical appropriation and its purpose is that when they sell the Bonds in July, it will allow the Department to receive the proceeds from the sale for the first three (3) years of the Department's Bond Program.

Commissioner Nelder said he would move approval as it is in coordination with the improvement and re-building of the Police District Stations and other Police Facilities. The motion was then seconded by Commissioner Pius Lee and unanimously approved.

RESOLUTION NO. 1197-88

REQUEST OF THE CHIEF FOR APPROVAL OF A SUPPLEMENTAL APPROPRIATION AMOUNTING TO \$10,509,846 FROM PROCEEDS OF THE "POLICE FACILITIES IMPROVEMENT BONDS" FOR RENOVATION OF VARIOUS POLICE DEPARTMENT FACILITIES

RESOLVED, that the Police Commission hereby approves a request for a supplemental appropriation amounting to \$10,509,846 which will appropriate the proceeds from the sale of bonds on July 1, 1988, to fund the renovation of various Police Department facilities.

AYES: Commissioners Giraudo, Lee, Medina, Nelder, Orr-Smith

RECOMMENDATION OF THE CHIEF OF POLICE FOR REVOCATION OF TAXICAB PERMIT #447 HELD BY MR. ALBERT VELLA

Lieutenant Harlan Wilson from the Permit Division came forth and reminded the Commission that

this matter had been continued by the Commission from two weeks ago to allow for the driver of Mr. Vella's Medallion to be present.

Mr. Vella's Attorney, Carl Brown, said this was continued for two purposes, one to go into whether the insurance was covered during this period and the other was to have the driver here.

Commissioner Giraudo said the Commission did have the insurance broker here the last time who explained to the Commission that for a period of time there was no insurance. He said the issue that was to come before the Commission this evening was that Commissioner Nelder asked that the man who was presently driving the cab be present here this evening to answer questions from the Commissioner.

Mr. Carl Brown said the driver is supposed to be here but he has not come as of this time. Commissioner Giraudo said the Commission would go on with the calendar at this time to wait for the driver and when he arrives return to this item.

STATUS REPORT REGARDING RECONSIDERATION IN DECISION TO SUSTAIN CHIEF'S SUSPENSION IMPOSED ON OFFICERS RONALD HOLLINS AND JAMES D. JONES, SOUTHERN STATION

Mr. Clifton Jeffers, Attorney for the officers and Mr. Michael Gash for the Department appeared and addressed the Commission on this item. Also present was Deputy City Attorney Art Hartinger.

Commissioner Giraudo said with respect to this case Mr. Jeffers in his request is saying that because there are three new Commissioners and one Commission who has not heard the first case that fairness would speak to a trial de novo. Previously to this occurring the only thing to be heard was the testimony of the Chief of Police and there was an appeal to Superior Court because Commissioner Nelder who was presiding the evenings that the trial took place denied your request to have the Chief of Police testify or be subject to cross examination by you. Commissioner Giraudo continued by saying that he would assume that if the Commission holds a trial de novo that the issue of the Chief of Police testifying would be dropped pursuant to Judge Lucy McCabe's Opinion as he had read it which basically stated that if the Chief had not asked questions during the course of the Hearing that she would not have subjected him to cross examination or examination by Mr. Jeffers.

Mr. Jeffers said he was not prepared to make any particular commitment with respect to what his and his clients position would be in a re-trial. He said they may well want to hear from the Chief of Police irrespective of how or whether or the extent to which he participates in the questioning.

Deputy City Attorney Hartinger in response to Commissioner Giraudo's request to his opinion regarding the Commission holding a trial de novo, said it was obviously within the discretion of the Commission. He said he had come across a case that went up to Judge McCabe in which this precise issue was proposed in that there were a new set of Commissioners after reviewing a prior record and sustaining the disciplinary action a Petition for

Writ of Mandate was brought and that same ground was put before Judge McCabe at that point, i.e., that a new set of Commissioners could not act fairly on a matter they had not heard and Judge McCabe rejected that argument based on the fact that the new Commissioners had read the transcripts. He said if you focus on the judgement in this case it says that the Commission shall reconsider the record and if it does so it should allow Mr. Jeffers to question Chief Jordan and a literal reading of the judgement compels upon the Commission that the Commission may act in this instance by having all of the Commissioners read the transcript and then having the Chief testify.

After further discussion Commissioner Nelder said he would make a motion to have a new Trial de Novo in this case, which would exclude himself from taking part, and that it would go forward with the four current Commissioners who had never taken part in the original hearings of this case. Commissioner Lee seconded and it was unanimously approved.

RESOLUTION NO. 1201-88

STATUS REPORT REGARDING RECONSIDERATION IN DECISION TO SUSTAIN CHIEF'S SUSPENSION IMPOSED ON OFFICERS RONALD HOLLINS AND JAMES D. JONES, SOUTHERN STATION

WHEREAS, the status report regarding reconsideration in decision to sustain the Chief's suspension imposed on Officers Ronald Hollins and James D. Jones, Southern Station, was called it having been scheduled for this date; and

WHEREAS, after much discussion the Police Commission entertained a motion from Commissioner Nelder stating that the Commission would hold a new Trial De Nova in this case, excluding himself from taking part, and to go forward with the four current Commissioners who had never taken part in their original hearing. It was seconded by Commissioner Lee, unanimously approved and a date of August 24, 1988 was set; therefore be it

RESOLVED, that the matter in the status report of Officers Hollins and Jones is to be heard on a Trial De Nova on Wednesday, August 24, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Lee, Medina, Nelder, Orr-Smith

DECISION ON REQUEST FOR STAY OF ACTION ON THE HEARING OF DISCIPLINARY CHARGES FILED AGAINST OFFICER JEAN J. POWERS, RICHMOND STATION

Commissioner Giraudo advised Mr. Jeffers that the City Attorney had apprised the Commission by Memorandum that the Commission is not bound not to hear this or to delay this Hearing of Officer Powers pending any Retirement Board Hearing or Disability Board Hearing. Commissioner Giraudo also said that he felt that the Commission should schedule a hearing on this issue as soon as possible because of the concerns that were stated last week.

Mr. Jeffers said there is a very, very grave question as to whether Mr. Powers is able to stand trial and he now makes the request that in light of Mr. Powers' job related present condition, he is in a state of near if not total disability. He said in light of this he would request that the stay requested earlier be granted but that Mr. Powers be taken off of AWOL Status and instead of proceeding with a disciplinary hearing he would request that this Commission adopt a position that directs that Mr. Powers be retired.

Commissioner Giraudo said he did not believe that the Commission could act in any form shape or manner without specific evidence from doctors or psychiatrists who are willing to come forth and testify that Officer Powers cannot stand trial with respect to a continuance or to a stay or that he be retired at the direction of the Commission. He said he did believe the AWOL Status is at issue and he did not feel that the Commission could make a judgement with respect to that because that is part of what is at issue.

Commissioner Nelder said this was the first time that the question has come up as to whether or not the accused individual has the competency to stand trial so, he said, he would suggest that the Commission continue the matter for one week and ask the City Attorney who should make that determination, the Commission or a Court and how that determination would be made. He said that will be his motion, to continue this matter for one week to seek direction and guidance from the City Attorney. Commissioner Lee seconded and it was unanimously approved.

RESOLUTION NO. 1199-88

DECISION ON REQUEST FOR STAY OF ACTION ON THE
HEARING OF DISCIPLINARY CHARGES FILED AGAINST
OFFICER JEAN J. POWERS, RICHMOND STATION

WHEREAS, the decision on request for Stay of Action on the hearing of disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, was called it having been scheduled for this date; and

WHEREAS, because of the question raised by Attorney Clifton R. Jeffers in regards to Police Commission discretion as to competency, the matter was continued to Wednesday, June 29, 1988, in order to obtain a City Attorney's opinion as to where discretion may lie as far as determination of competency of a member to stand trial on administrative charges before the Police Commission; therefore be it

RESOLVED, that the decision on request for stay of action on the hearing of disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, is continued to Wednesday, June 29, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

RESOLUTION NO. 1202-88

HEARING OF DISCIPLINARY CHARGES FILED AGAINST
OFFICER JEAN J. POWERS, RICHMOND STATION

WHEREAS, the hearing on disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, was called it having been scheduled for this date; and

WHEREAS, because of the question raised by Attorney Clifton R. Jeffers in regards to Police Commission discretion as to competency, the matter was continued to Wednesday, June 29, 1988, in order to obtain a City Attorney's opinion as to where discretion may lie as far as determination of competency of a member to stand trial on administrative charges before the Police Commission; therefore be it

RESOLVED, that the hearing of disciplinary charges filed against Police Officer Jean J. Powers, Richmond Station, is continued to Wednesday, June 29, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

HEARING ON APPEAL OF THE CHIEF'S SUSPENSION IMPOSED
ON SERGEANT GILE PURSLEY, MISSION STATION

Officer Daniel Linehan, Station and SFPOA Representative for Sergeant Pursley, said this matter involves a re-weigh problem of General Order B-1 and it is his understanding that General Order B-1 is going to be re-written and to help resolve this problem for the Commission perhaps it could be delayed for two or three weeks but they are ready to go tonight if it is the Commission's desire.

Mr. Michael Gash said he understood that there is a new B-1 coming forth but the issue the Department sees is a little different than the issue that the POA sees. He said the basic issue the Department feels that the Commission has to resolve is Sergeant Pursley's failure to appear and that has nothing to do with whether or not B-1 is satisfied or not as the Sergeant was ordered to appear on a certain date and did not show up.

Officer Linehan said that the fact that B-1 is going to be re-written, the requirement to appear is going to be eliminated, and would be corrected at the District Station level, because of this, he said, and other extenuating circumstances, it may not be required to be heard before the Commission.

Commissioner Nelder, after ascertaining that the new General Order B-1 would be on next week's calendar, said that in the interest of time he would make a motion to continue the matter for two weeks. Commissioner Lee seconded the motion and it was unanimously approved.

RESOLUTION NO. 1200-88

HEARING ON APPEAL OF THE CHIEF'S SUSPENSION IMPOSED
ON SGT. GILE PURSLEY, MISSION STATION

WHEREAS, the hearing on the appeal of the Chief's suspension imposed on Sergeant Gile Pursley was called it having been scheduled for this date; and

WHEREAS, it was requested by Mr. Michael Gash, Attorney at Law for the San Francisco Police Department, that the date for the hearing on the appeal of Sergeant Gile Pursley be continued to July 6, 1988; therefore be it

RESOLVED, that the date for the hearing on the appeal of the Chief's suspension imposed on Sergeant Gile Pursley, Mission Station, is continued to Wednesday, July 6, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Giraudo, Lee, Medina, Nelder, Orr-Smith

At this time the Commission returned to the unfinished business on item #10, wherein all parties were waiting for Mr. Vella's driver to appear. Lieutenant Wilson, Permit Section, stated that the driver had not shown up and that his Section had contacted the radio dispatch for Allied Cab who said there is no current emergency and that they have not talked to the driver on the air as they have attempted to raise him but have been unable to do so.

Commissioner Nelder said that basically that the whole concept that the driver be here was to the benefit of Mr. Vella but in the interest of the Officers from the Permit Section he would move that this matter be continued one week. Commissioner Medina seconded and it was unanimously approved.

HEARING OF POLICE OFFICER DARRYL S. PERKINS, TARAVAL
STATION (CONTINUED FROM MEETING OF JUNE 15, 1988)

The hearing of the disciplinary charges filed against Police Officer Darryl S. Perkins, Taraval Station, was called it having been continued from the meeting of June 15, 1988.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Darryl S. Perkins appeared in person and was represented by Sergeant Joe Williams, Officers for Justice.

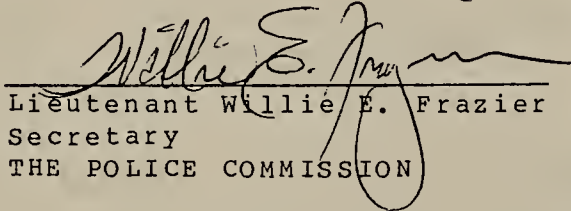
Mr. Michael Gash made an opening statement.

Sergeant Joe Williams made an opening statement requesting a continuance of the hearing in order to assist Officer Perkins to obtain an attorney and also promised that Officer Perkins would sign a request for a leave of absence for next week's (June 29) calendar.

The hearing was then continued to Wednesday,
July 13, 1988 at 5:30 p.m. in Room 551, Hall of
Justice.

AYES: Commissioners Giraudo, Lee, Medina, Nelder,
Orr-Smith

Thereafter, the Commission observed a moment of
silence and adjourned in memory of Sergeant Roy
Peyre at 6:35 p.m..



Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4319M

88
JUNE 29, 1988

CLOSED SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 505-2, Hall of Justice, 850 Bryant Street on Wednesday, June 29, 1988 at 1700 hours in Closed Session.

DOCUMENTS DEPT.

Commissioner Nelder presiding.

SEP 27 1988

1. Attorney-Client Conference

SAN FRANCISCO
PUBLIC LIBRARY

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

JUNE 29, 1988

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Wednesday, June 29, 1988 at 1730 hours in a Regular Meeting.

Commissioner Nelder presiding.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

APPROVAL OF MINUTES OF MEETING OF MARCH 16, 1988

Approval of Minutes of Meeting of March 16, 1988, the Commissioners having received, approved and returned copies of same.

APPROVAL OF CONSENT CALENDAR

Recommendation of the City Attorney for settlement of the following claims against City and County of San Francisco:

RESOLUTION NO. 1243-88

THOMAS PALMARES vs. CITY AND COUNTY OF SAN FRANCISCO

RESOLVED, that judgment made in Thomas Palmares vs. City and County of San Francisco in Small Claims Court No. 464-176 in the total amount of \$506.00 as the result of loss sustained, be, and the same is hereby approved.

Date of Incident: October 21, 1986

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1244-88

MARK E. LAHERTY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mark E. Laherty in the sum of \$417.59 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1245-88

EDWARD KELLEHER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edward Kelleher in the sum of \$300.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 2, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1246-88

COMMERCIAL BANK OF SAN FRANCISCO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Commercial Bank of San Francisco in the sum of \$251.00 as the result of loss of money, be, and the same is hereby approved.

Date of Incident: October 2, 1987

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1247-88

MILAGRO E. MARCIA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Milagro E. Marcia in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 14, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1248-88

C & B BAYSHORE AUTO WRECKERS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of C & B Bayshore Auto Wreckers in the sum of \$150.00 as a result of damages sustained, be, and the same is hereby approved.

Full settlement of the claim of "Mark Ligouri and Lisa Ligouri vs. City & County of San Francisco, et al" and Compromise of Municipal Court Action No. 924-348

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1249-88

THE CITY TOW (KYL MUANG)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow

(Kyl Muang) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1250-88

THE CITY TOW (JOHN McMORROW)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (John McMorrow) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1251-88

THE CITY TOW (NESTOR MARTINEZ)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Nestor Martinez) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1252-88

THE CITY TOW (KHANH LY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Khanh Ly) in the sum of \$150.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1253-88

THE CITY TOW (LAWRENCE RIVERA)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Lawrence Rivera) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 13, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1254-88

THE CITY TOW (JANE ROCHELLE)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Jane Rochelle) in the sum of \$150.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1255-88

THE CITY TOW (RUBEN EMERY)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Ruben Emery) in the sum of \$125.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1256-88

THE CITY TOW (DENISE M. O'SHEA)

RESOLVED, that the recommendatio of the City Attorney for settlement of the claim of The City Tow (Denise M. O'Shea) in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1257-88

THE CITY TOW (LAMAR W. ADAMS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of The City Tow (Lamar W. Adams) in the sum of \$125.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 11, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1258-88

RICHARD ROMERO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard Romero in the sum of \$110.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 30, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1259-88

SAN FRANCISCO SENIOR CENTER - DOWNTOWN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the San Francisco Senior Center - Downtown, in the sum of \$101.12 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 24, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1260-88

WILLIAM MACARET

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William Macaret in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 8, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1261-88

TED MEGAS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ted Megas in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 9, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1262-88

GEORGE G. VRAKELOS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of George G. Vrakelos in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 3, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1263-88

PETER ALLEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter Allen in the sum of \$100.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 6, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraud

RESOLUTION NO. 1264-88

ELIZABETH ANN STERLING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Elizabeth Ann Sterling in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1265-88

JILL KORENGOLD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jill Korengold in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 30, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1266-88

CURTIS B. HILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Curtis B. Hill in the sum of \$100.00 as a result of faulty tow, be, and the same is hereby approved.

Date of Incident: April 16, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1267-88

CRAIG EDWARDS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Craig Edwards in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1268-88

AUDREY FOSTER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Audrey Foster in the sum of \$100.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1269-88

ALICE P. CHANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alice P. Chang in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 30, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1270-88

NORMAN A. PINTO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Norman A. Pinto in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 12, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1271-88

DELINDA B. SHAHEEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Delinda B. Shaheen in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 12, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1272-88

DANIEL REICH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Daniel Reich in the sum of \$80.00 as a result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 21, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1273-88

RAYMOND DOVING

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Doving in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 27, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1274-88

JERIS GLOVER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jeris Glover in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 12, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1275-88

DAVID M. HOLTZMAN, M.D.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David M. Holtzman, M.D. in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1276-88

TANYA JEANNETTE LEVIEN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Tanya Jeannette Levien in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 12, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1277-88

RUTH HWANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ruth Hwang in the sum of \$80.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: March 13, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1278-88

DONALD E. DILLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Donald E. Dilley in the sum of \$75.00 as a result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 14, 1988

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

POLICE COMMISSION REPORT

Commissioner Nelder announced that he had one pleasant duty to do as it relates to his fellow Commissioners. He said they are now officially Commissioners and at this particular time it will be made completely Official by issuing to them their Identification Cards and Police Commission Stars. Commissioner Nelder then congratulated each of his colleagues as he made the presentation to Commissioners Gayle Orr-Smith, Pius Lee, and Jose E. Medina.

(a) PUBLIC COMMENTS

Mr. Bob Barry, President of the San Francisco Police Officers Association, said on behalf of the POA he would like to take this opportunity to welcome the Commissioners to the SFPD. He said he hoped that their tenure is a very good one and that it will not be necessary for him to be present before the Commission very often with SFPOA Members, but, there will be times when he will have to be here. He continued by saying that there will be times when the POA will be Meeting and Conferring on a number of issues involving the working conditions of POA Membership. He said he would hope that they would all have a good relationship and that is what they are going to strive to continue maintain as they have had with the last Commission that was sitting for so many years. He said he looked forward to working with the new Commissioners for next several years.

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Frank Jordan said he had one item that he would like to bring up and that is that the Department did have an Awards Ceremony earlier today in this room at approximately 11:00 a.m. sponsored by the California State Automobile Association and the California Highway Patrol. He said the SFPD has an excellent State Wide Auto Theft Campaign. He said twenty-eight (28) SFPD Officers were given plaques and certificates of support on behalf of the CHP and the AAA here in San Francisco. Additionally, he said, just so the Commissioners have some of the background, the City is averaging 781 stolen autos a month and the state average in terms of recovery is about 88% and the SFPD's recovery rate is 93%. This, he said, is one of the highest in the state. He said, so, it is very encouraging to see twenty-eight (28) officers

receiving the Awards and about three (3) of four (4) months the CHP and the AAA award Officers a different rating and some of them have been here for three and four times and two winners here today were in the Masters Program for which you have to have won five separate awards to earn this recognition. He said so the SFPD is one of the leading Police Departments in the State in terms of receiving Awards for Auto Theft Recovery. Commissioner Nelder congratulated the Chief for this outstanding recognition given to the San Francisco Police Department.

OCC DIRECTOR'S REPORT TO THE POLICE COMMISSION

Mr. Michael Langer, Director, of the OCC said that several reports have been published regarding the internal operations of the OCC and one of the recommendations in those reports were that the OCC should utilize Pro Bono Hearings. He said the purpose of doing this was two folds, one was to provide more hearings in the spirit of fairness for the Officers and Complainants and secondly to save money. He said that coupled with the Budget Crisis the City is presently facing the OCC undertook a project to cut cost and were able to reduce their Budget by approximately 60,000 dollars by working with the San Francisco Bar Association developing a list of Pro Bono Hearing Officers. He said he must emphasize that the qualifications of the Pro Bono Hearing Officers will be consistent with the Rules and Regulations of the Police Commission's Hearing Rules and the list will be submitted to the Commission for approval. He said he just wanted to update the Commission at this time that Drucilla Raymie has appointed Connie Moore to work with the OCC in the development of this project and the OCC is presently working in that direction and he would be reporting back to the Commission on a periodic basis as they come closer to their intended goal.

REQUEST OF POLICE OFFICER RAYMOND E. WEST, MEDICAL LIAISON, FOR A LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF DISCIPLINARY CHARGES - JUNE 30 THROUGH AUGUST 31, 1988

Mr. Jim Collins, Attorney for Officer West, said he had spoken to Mr. Gash earlier this week and Mr. Gash promised him he would provide Mr. Collins with the forms. Mr. Collins said once that is done they will be signed and brought back by himself to Mr. Gash. He said this is the way it was done once before. He said also as far as the next item, the Hearing of Officer West, because of the Officer's medical status he would request a continuance.

Mr. Gash, Attorney for the Department, said that there would be no objection to the request, and since there will be a Leave of Absence request submitted that the matter be re-scheduled for September 7th, 1988.

RESOLUTION NO. 1240-88

LEAVE OF ABSENCE WITHOUT PAY PENDING HEARING OF
CHARGES - POLICE OFFICER RAYMOND E. WEST, MEDICAL
LIAISON

WHEREAS, Police Officer Raymond E. West, Medical Liaison, was suspended without pay on January 20, 1988, pending hearing of charges before the Police Commission; and

WHEREAS, Police Officer Raymond E. West has requested a Leave of Absence Without Pay pending hearing of charges before the Police Commission; therefore be it

RESOLVED, that Police Officer Raymond E. West, Medical Liaison, be placed on Leave of Absence Without Pay at his request for a period of 71 days commencing June 29, 1988 through September 7, 1988, be, and the same is hereby approved.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1242-88

HEARING OF POLICE OFFICER RAYMOND E. WEST, MEDICAL
LIAISON

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Raymond E. West, Medical Liaison, was called it having been continued from April 13, 1988, and

WHEREAS, it was requested by Mr. James P. Collins, Attorney at Law representing Officer Raymond E. West, that the hearing be continued to September 7, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Raymond E. West, Medical Liaison, is continued to Wednesday, September 7, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

HEARING ON DISCIPLINARY CHARGES FILED AGAINST POLICE
OFFICER STEVEN J. BOLANDER, COMMUNICATIONS DIVISION

Mr. Bob Barry, President of the SFPOA said he was kind of a quasi-representative of Officer Bolander as he had spoken to him on the phone yesterday. President Barry said the POA is not representing Officer Bolander, but he advised Barry, that he (Bolander) was in bed at the Doctor's Orders as he had some sort of a back problem. President Barry said he then had the Doctor's Office call the Department's Medical Liaison to confirm it and the Doctor's nurse did just that. He said they were supposed to send a letter so he was just here to represent to the Commission that that communication did take place. Mr. Gash said he anticipated the Commission giving a continuance in this matter and therefore, did not require his witnesses to respond

here from Sacramento. He said he would suggest that the Commission re-schedule it for a new date but prior to that new date that Mr. Bolander or his representative or Attorney be contacted and find out if they intend to participate on the new date that is now to be set. Mr. Gash said he would suggest that it be set for September 7, 1988.

RESOLUTION NO. 1241-88

HEARING OF POLICE OFFICER STEVEN J. BOLANDER,
COMMUNICATIONS DIVISION

WHEREAS, the date for the hearing of the disciplinary charges filed against Police Officer Steven J. Bolander, Communications Division, was called it having been continued from the meeting of April 13, 1988; and

WHEREAS, it was requested by Bob Barry, Police Officers' Association, representing Officer Steven J. Bolander, that the date for the hearing be continued to September 7, 1988; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Steven J. Bolander, Communications Division, is set for Wednesday, September 7, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

REQUEST OF POLICE OFFICER DARRYL S. PERKINS, TARAVAL
STATION, FOR A LEAVE OF ABSENCE WITHOUT PAY PENDING
HEARING OF DISCIPLINARY CHARGES - JUNE 23, 1988
THROUGH AUGUST 3, 1988

Mr. Michael Gash, Attorney for the Department, said that Officer Perkins appeared in his office this evening at 5:30 p.m. and submitted to him a signed resignation. He said he explained to Officer Perkins that the resignation would be received with the proviso that his services would be deemed unsatisfactory.

Sergeant Joe Williams said he did not know about the resignation but he had spoken with him about the Leave of Absence.

Commissioner Medina said he would make a motion to calendar the matter of this resignation for acceptance on next week's Police Commission Calendar. Commissioner Lee seconded and it was unanimously approved for decision at that time.

DECISION ON REQUEST FOR STAY OF ACTION ON THE
HEARING OF DISCIPLINARY CHARGES FILED AGAINST
OFFICER JEAN J. POWERS, RICHMOND

Mr. Clifton Jeffers, Attorney for Officer Powers, said at the Commission meeting of last week the decision was made to Stay the Hearing until tonight where a decision would be made with respect as to how the Commission wish to proceed on the

issue of this incompetency to stand trial. He said early Friday morning he received a communication from Lieutenant Frazier indicating that the Commission had heard from the City Attorney's Office and that the Commission therefore wished to proceed with the Competency Hearing tonight. He said he subsequently, later that day, spoke with Mr. Giraudo, explained to him that because he did not know about it until Friday afternoon that it would not afford them sufficient opportunity to prepare for a Hearing tonight, because at the time he spoke to him, he still had not been able to reach any of Mr. Power's Doctors who would be involved in the Hearing. He said Commissioner Giraudo suggested that he appear here tonight and request a continuance on the Hearing on the incompetency issue until next Wednesday at which time he expected that they will be prepared to go forward with the Competency Hearing.

Commissioner Nelder said that the Commission recalls that last week the matter, as it relates to competency, came up and it was stated that the Commission has never had a situation like this before it, and therefore asked the City Attorney to decide who would determine Officer Power's competency and evidentially the reply is that the Commission should make that determination. Commissioner Lee then made a motion that the matter be continued for next week to determine the Competency of Officer Powers, it was seconded by Commissioner Medina and unanimously approved.

HEARING ON DISCIPLINARY CHARGES FILED AGAINST POLICE
OFFICER JEAN J. POWERS, RICHMOND STATION

Continued to July 6, 1988.

RECOMMENDATION OF THE CHIEF OF POLICE FOR REVOCATION
OF TAXICAB PERMIT #447 HELD BY MR. ALBERT VELLA

WHEREAS, a hearing in the recommendation of the Chief of Police for revocation of Taxicab Permit #T-0447 held by Albert Vella was called, it having been continued from the meeting of June 22, 1988; and

WHEREAS, Mr. Albert Vella appeared in person with his driver, Mr. Andre, and was represented by Mr. Carl Brown, Attorney at Law; and

WHEREAS, Lieutenant Harlan Wilson and Officer Linda Flanders represented the San Francisco Police Department; and

WHEREAS, Lieutenant Wilson and Officer Flanders presented the following reasons why the taxicab permit should be revoked:

1. MPC Section 1080.1: No proof of valid insurance on file for the period of December 24, 1987 to April 15, 1988.
2. MPC Section 1081: Failure to file required annual form.

3. Chief's Taxicab Regulation: Failure to be equipped with a two-way radio.
4. Chief's Taxicab Regulation: Failure to submit taxicab for an inspection, when so ordered.

WHEREAS, the Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 1239-88

DECISION

RESOLVED, that it is the findings and decision of the Commission, based on the evidence presented, that taxicab permit #0447 held by Mr. Albert Vella be revoked, but said revocation is to be held in abeyance for one year, provided he complies with all cited violations and no future violations occur; and be it further

RESOLVED, that his taxicab permit be suspended for thirty (30) calendar days beginning June 30, 1988 and ending July 29, 1988.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

(The entire proceedings were taken in shorthand form by Linda Pransky, CSR.)

REQUEST OF THE CHIEF OF POLICE FOR REVOCATION OF
JITNEY PERMITS J-0007 HELD BY ADOLFO PEREZ AND
J-0014 HELD BY HARRY F. BODE, SURRENDERED BY THE
PERMIT HOLDERS

Lieutenant Harlan Wilson of the Permit Section said that Item #9 as well as Item #10 almost have the same bearing only Item #9 has an additional permit that has been voluntarily surrendered. He said he would like to have both items heard at one time because they all deal with the same subject and that is lack of ability to provide insurance. He then asked one of his Staff members to explain about the insurance problems.

Officer Linda Flanders, Permit Section, said that in 1986 an insurance scam hit the City of San Francisco as well as the majority of Northern California. She said a particular Broker offered insurance at about half the rate to all motor vehicles for hire. As insurance was extremely high most permit holders went with this particular individual. She said he collected the payments from the permit holders and kept the money not sending it on to the insurance company and the policies were cancelled. She said the SFPD was not notified of the cancellations but the permit holders were notified and they checked with the broker. She said he told them not to worry about it that he would take care of it and during 1986 and 1987 a vast majority of motor vehicles in San Francisco were without insurance. She said one of the only ways in San Francisco to obtain insurance is through the assigned risk and no one else wants to touch motor vehicles for hire in San Francisco. She said the Jitney Holders cannot afford Assigned Risk Insurance in San Francisco as it is about \$9,000.00 a year.

She said it appears to be the end of the jitney industry. She said the jitney owners are hoping that the Commissioners can come up with some alternatives other than revoking their permits. She said the broker who defrauded these individuals last Monday plead guilty and was sentenced to four (4) years in State Prison.

The following Jitney Owners then came forth and spoke on the issue:

Michele Depilla, he asked the Commission to change the jitney permits to taxi permits.

Mr. Manuel Cayellas, advocate for Mr. Mindel Mindelstein, presented eight (8) points as to why Mr. Mindelstein was forced to leave the jitney business. He said Mr. Mindelstein would like to have a taxi permit also. He said in 1940 Jitney operators were allowed to drive both jitneys and taxis.

Mr. Hugo R. Soto said that the Jitneys have done a lot for San Francisco and the San Francisco Police Commission should at least give them a small grace period and to fight more for them so that they can continue to enhance the beauty of San Francisco.

Commissioner Orr-Smith said to the owners that their comments have not fallen on deaf ears. She said Lieutenant Wilson has indicated that he will look into the possibility of the impact or at least the effects of trying to obtain information to alleviate their position as it would be a shame to see such an old San Francisco tradition die, and of course their livelihood as well. She said she could not promise them anything in terms of the Commission's authority over the insurance industry as the Commission does not have any impact over that but to the extent that they can perhaps find some other options within the city structure, the Commission will work on that. She then made a motion to suspend the recommendation of the revocation of the jitney permits for two months, it was seconded by Commissioner Lee and unanimously approved.

Commissioner Lee said he would like to suggest that the Administration write a letter to the Insurance Companies in the name of the Police Commission and tell them about the problems that are now being encountered by the Jitney Industry in San Francisco to see if they can come up with some viable solutions. He said the other suggestion he had would be regarding the limits set by the State Law for Insurance at \$1,500,000.00 if that in any way when talks are held with Senator Kopp or Senator Marks, or Assemblyman John Burton whether or not it is possible to lower the limits of this insurance for Jitneys.

Commissioner Orr-Smith said that perhaps Lieutenant Wilson in his research could at least explore the legislative options that the Commission and Department has at the State level in addition to whatever other research that he is doing. The motion was then unanimously approved.

RESOLUTION NO. 1279-88

REQUEST OF THE CHIEF FOR REVOCATION OF JITNEY PERMITS J-0007 HELD BY ADOLFO PEREZ AND J-0014 HELD BY HARRY F. BODE, SURRENDERED BY THE PERMIT HOLDERS

WHEREAS, the hearing on the request of the Chief of Police for revocation of Jitney Permits J-0007 held by Adolfo Perez and J-0014 held by Harry F. Bode, surrendered by the permit holders, was called it having been scheduled for this date; and

WHEREAS, the Police Commission requested that the hearing be continued to allow Lieutenant Wilson and staff of the Permit Section to conduct a study as to the feasibility of obtaining sufficient insurance for these jitney bus owners and/or changing jitney permits to taxi permits and report back to the Commission in two months with their findings; therefore be it

RESOLVED, that the hearing on the revocation of Jitney Permits J-007 held by Adolfo Perez and J-0014 held by Harry F. Bode be set for Wednesday, August 31, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1280-88

REQUEST OF THE CHIEF FOR REVOCATION OF JITNEY PERMITS

WHEREAS, the hearing on the request of the Chief of Police for revocation of the Jitney Permits held by the following was called, it having been scheduled for this date:

William H. Losa	Miguel Hernandez
Armando E. Perez	Louis Jean
Mendel Milstein	Michele Dipilla
Jose S. Cortez	Antonio David, Sr.
Edmund Yow	Abraham Endzweig
Hugo Soto Felix Arbeloa	
Mack Watson	Aristeo Pelayo

WHEREAS, the Police Commission requested that the hearing be continued to allow Lieutenant Wilson and staff of the Permit Section to conduct a study as to the feasibility of obtaining sufficient insurance for the above-named jitney bus owners and/or changing jitney permits to taxi permits and report back to the Commission in two months with their findings; therefore be it

RESOLVED, that the hearing on the revocation of the Jitney Permits held by the above-named be set for Wednesday, August 31, 1988 at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

PUBLIC HEARING ON REVISION OF DEPARTMENT GENERAL ORDER B-1, "PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS STANDARDS"

Deputy Chief Willis Casey said the only thing that is changing about this order is that it is being decentralized in monitoring of the Officers. He said the responsibility will be turned over to

the Commanding Officers at the District Stations and various units so they can be checked there rather than come down to the Hall of Justice.

RESOLUTION NO. 1235-99

REVISION OF DEPARTMENT GENERAL ORDER B-1, "PHYSICAL AGILITY STANDARDS, PHYSICAL FITNESS STANDARDS"

RESOLVED, that the Police Commission hereby approves revised Department General Order B-1, "Physical Agility Standards, Physical Fitness Standards".

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1236-88

REVISION OF DEPARTMENT GENERAL ORDER B-3, "EQUIPMENT"

RESOLVED, that the Police Commission hereby approves revised Department General Order B-3, "Equipment"

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1237-99

REVISION OF DEPARTMENT GENERAL ORDER B-6, "UNIFORM AND EQUIPMENT CLASSES"

RESOLVED, that the Police Commission hereby approves revised Department General Order B-6, "Uniform and Equipment Classes".

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

RESOLUTION NO. 1238-88

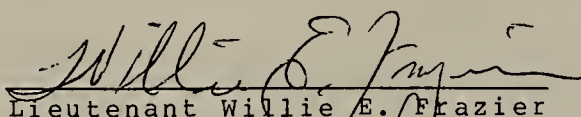
REQUEST OF THE CHIEF FOR AUTHORIZATION TO ACCEPT DONATION FROM THE FRIENDS OF THE POLICE IN THE AMOUNT OF \$18,500 TO SUPPORT THE MOUNTED UNIT

WHEREAS, the Friends of the Police have donated \$18,500 to the San Francisco Police Department to support the Mounted Unit and to pay part of the salaries and fringe benefits of the three stable attendants (3310s) for Fiscal Year 1988-89; therefore be it

RESOLVED, that this gracious donation is accepted for the expressed purpose.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

The meeting, thereafter, was adjourned at 7:10 p.m..


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

Minutes
F
15
2
0/88
JUNE 30, 1988

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street on Thursday, June 30, 1988 at 1730 hours in a Special Meeting.

Commissioner Nelder presiding.

AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

DOCUMENTS DEPT.

HEARING OF POLICE OFFICER ROY A. PRIEST, TACTICAL
DIVISION, DOG UNIT

SEP 30 1988

SAN FRANCISCO
PUBLIC LIBRARY

The hearing of the disciplinary charges filed against Police Officer Roy A. Priest, Tactical Division, Dog Unit, was called it having been set for this date. Police Officer Roy A. Priest was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Consuming alcoholic beverages while on duty (violation of Rule III.A of General Order D-4 of the San Francisco Police Department);

SPECIFICATION NO. 2

Being intoxicated while on duty (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

in a properly verified complaint by Frank M. Jordan, Chief of Police of the San Francisco Police Department.

Mr. Michael Gash, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Police Officer Roy A. Priest appeared in person and was represented by Mr. Casimir A. Wilson, Attorney at Law.

An opening statement was made by Mr. Michael Gash for the Prosecution.

An opening statement was made by Mr. Casimir Wilson for the Defense. Mr. Wilson entered a plea of guilty on Specification No. 1 and Specification No. 2 on behalf of Officer Roy A. Priest.

Commissioner Pius Lee made a motion to accept the plea of Officer Priest and was unanimously approved by the Commission.

The following named witness was called by the Prosecution, was sworn and testified:

Sergeant James Baca, Management Control Division

The following named witnesses were called by the Defense, were sworn and testified:

Officer Roy A. Priest, Tactical Division
Lieutenant John Portoni, Tactical Division
Sergeant Thomas Griffin, Tactical Division

Based on those findings, the Commission requested a recommendation from Chief of Police Frank M. Jordan. It is the recommendation of the Chief of Police that for Specification No. 1 and Specification No. 2, Officer Roy A. Priest be terminated.

The Commission took the matter under submission, recessed and returned, and the following resolution was adopted:

RESOLUTION NO. 1281-88

DECISION - HEARING OF POLICE OFFICER ROY A. PRIEST,
TACTICAL DIVISION, DOG UNIT

WHEREAS, on February 8, 1988, Frank M. Jordan, Chief of Police of the San Francisco Police Department, made and served charges against Police Officer Roy A. Priest, and

WHEREAS, the Commission having heard the matter, makes the following findings of fact as set forth in the following charges:

SPECIFICATION NO. 1

Consuming alcoholic beverages while on duty (violation of Rule III.A of General Order D-4 of the San Francisco Police Department);

- (1) At all times herein mentioned, Roy A. Priest, Star No. 865 (hereinafter referred to as "the accused") was and is a Police Officer employed by the San Francisco Police Department and is assigned to the Tactical Division - Dog Unit. However, the accused was suspended on February 1, 1988;
- (2) As a Police Officer, the accused was and is responsible for knowing and obeying the rules, orders and procedures of the San Francisco Police Department;
- (3) At all times herein mentioned, the accused was on duty, in uniform and assigned to the Dog Unit;
- (4) On or about January 31, 1988, at approximately 2135 hours, the Communications Division received a telephone call from an employee of a bar located on 24th Street, who reported that a uniformed officer was intoxicated and was drinking in the bar;
- (5) On or about January 31, 1988 at approximately 2145 hours, Sergeant John P. Nestor, Star No. 183, and Sergeant Larry Barsetti, Star No. 175, responded to the bar on 24th Street to investigate. Upon their arrival at the scene, Sergeants Nestor and Barsetti observed a department vehicle parked across the street from the bar. Sergeants Nestor and Barsetti entered the bar where they observed the accused sitting at the bar in full uniform holding a glass in his hand;

- (6) On or about January 31, 1988, from about 2115 hours until 2145 hours, several of the patrons of this bar had observed the accused drinking from this glass which contained an alcoholic beverage:
- (7) The accused, by consuming an alcoholic beverage, while on duty and in uniform, at a bar on 24th Street, has engaged in conduct which constitutes a violation of Rule III.A of General Order D-4 of the San Francisco Police Department, which states:
- "Except as provided by Rule B-1 of General Order D-1 a member shall not consume any alcoholic beverage while on duty."

SPECIFICATION NO. 2

Being intoxicated while on duty (violation of Rule A-9 of General Order D-1 of the San Francisco Police Department);

- (8) The allegations contained in Specification No. 1, paragraphs (1) through (7) are incorporated by reference as if fully set forth herein;
- (9) On or about January 31, 1988, the accused was ordered to submit to an intoxilizer test. The accused submitted to the intoxilizer tests at or about 0052 hours. The results of the intoxilizer tests were .14 and .13 respectfully, and indicated that the accused's blood contained .14 and .13 alcohol by weight;
- (10) The accused, by consuming an alcoholic beverage, while on duty and in uniform, at a bar on 24th Street and by having a blood alcohol reading of .14 and .13 respectively, which indicates that the accused was intoxicated while on duty, has engaged in conduct which constitutes a violation of Rule A-9 of General Order D-1 of the San Francisco Police Department, which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was held before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Thursday, June 30, 1988, and on Thursday, June 30, 1988, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Commission finds that the allegations contained in Specification No. 1 and Specification No. 2 as preferred by the Chief of Police against Police Officer Roy A. Priest are sustained by a preponderance of evidence presented; therefore be it

RESOLVED, that based on these findings, consistent with the Commission's duty to protect the health, safety and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and good discipline in the San Francisco Police Department, the Commission orders the following discipline be imposed:

Specification No. 1 [penalty]
90 days suspension

Specification No. 2 [penalty]
Termination to be held
in abeyance for three
years and remain in the
Program he is currently
attending under the
Department D-4 Program

and be it further

RESOLVED, that said suspension totaling ninety (90) calendar days, with credit for time served (8 days), is to be imposed commencing Friday, July 1, 1988 at 0001 hours and ending Tuesday, September 20, 1988 at 2400 hours. If any violation occurs during the three year period, termination is to be imposed.

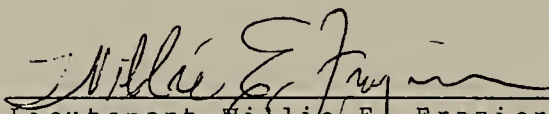
AYES: Commissioners Lee, Medina, Nelder, Orr-Smith
ABSENT: Commissioner Giraudo

Recess taken during the hearing of Officer Roy A. Priest:

6:43 p.m. to 7:15 p.m.

(The entire proceedings were taken in shorthand form by Ms. Linda Pransky, CSR.)

The meeting, thereafter, was adjourned.


Lieutenant Willie E. Frazier
Secretary
THE POLICE COMMISSION

942/rt
W/4337M

